



Recommendation 2181 (2020)¹
Provisional version

Need for democratic governance of artificial intelligence

Parliamentary Assembly

1. The Parliamentary Assembly refers to its [Resolution 2341 \(2020\)](#) “Need for democratic governance of artificial intelligence” and welcomes the ongoing efforts made so far at national, European and international levels, including at the level of the Council of Europe, to create a regulatory framework for artificial intelligence (AI). In the absence of such framework, the Assembly notes that private companies developing and using AI-based technologies have so far opted for a self-regulation policy through soft-law instruments in this field.
2. The Assembly welcomes the work done by the Ad hoc Committee on Artificial Intelligence (CAHAI), which is mandated to examine the feasibility and potential elements based on broad multi-stakeholder consultations, of a legal framework for the design, development and application of AI, based on Council of Europe’s standards on human rights, democracy and the rule of law.
3. The Assembly is convinced that strong and swift action is needed on the part of the Council of Europe to address the challenges arising from the use of AI-based technologies which may interfere, amongst others, with the functioning of democratic institutions and processes. Soft-law instruments and self-regulation have proven so far not sufficient in addressing these challenges and in protecting human rights, democracy and rule of law. The Council of Europe is in a strategic position to provide the necessary guidance and support, in close co-operation and co-ordination with other European and international institutions and organisations, towards creating a global regulatory framework for AI.
4. In light of the above, the Assembly recommends that the Committee of Ministers
 - 4.1. expresses support to the elaboration of a legally binding instrument governing artificial intelligence, possibly in the form of a convention, taking into account, *inter alia*, the elements contained in [Resolution 2341 \(2020\)](#);
 - 4.2. ensures that such a legally binding instrument is based on a comprehensive approach, deals with the whole life cycle of AI-based systems, is addressed to all stakeholders, and includes mechanisms to ensure the implementation of this instrument.

1. *Text adopted by the Standing Committee, acting on behalf of the Assembly, on 22 October 2020 (see [Doc. 15150](#), report of the Committee on Political Affairs and Democracy, rapporteur: Ms Deborah Bergamini).*

