



Strasbourg, 3 February 2023

CAI(2023)05

COMMITTEE ON ARTIFICIAL INTELLIGENCE (CAI)

4th Meeting

Agora, Room G03

Strasbourg

1 - 3 February 2023

9.30am - 4.30pm (CET)

LIST OF DECISIONS

List of Items Discussed and Decisions Taken

The Council of Europe's Committee on Artificial Intelligence (hereinafter referred to as "the CAI" or "the Committee") holding its 4th Plenary meeting in Strasbourg, in hybrid format, from 1 to 3 February 2023, in conformity with its terms of reference adopted by the Committee of Ministers, decided to:

Agenda item 1. Opening of the meeting

- Take note of the opening remarks of Mr Thomas SCHNEIDER, Chair of the CAI. In his remarks, the Chair referred to the recent breaches of confidentiality of meetings and documents of the CAI, including references having been made to specific positions of Delegations. He emphasized that such actions were unacceptable. He reiterated the requirements under Resolution CM/Res (2021)3 "on intergovernmental committees and subordinate bodies, their terms of references and working methods", adopted by the Committee of Ministers on 12 May 2021. The Chair further explained that the need for confidentiality of meetings and documents of the CAI was not to curtail transparency, but because international negotiations require the ability for Delegates to make statements or take positions without being quoted in public. Transparency and inclusivity are important aspects of modern policy making and in the case of the CAI, they can and will be ensured in appropriate ways. The Chair also called on all Members, Participants and Observers to safeguard the integrity of the meetings and respect the confidentiality requirements of the Council of Europe. Regrettably, the recent incidents have forced the Secretariat to raise the level of classification of documents from "restricted" to "confidential".
- Ms Claudia LUCIANI, Director, Directorate of Human Dignity, Equality and Governance, expressed sincere appreciation for the interest expressed by all stakeholders, including the Observers, in participating in all aspects of the work of the CAI. She reiterated that openness and transparency are and remain important for the Council of Europe. She further reminded the Committee that negotiations are still scheduled to end by September 2023.
- In his remarks, Mr Patrick PENNINCKX, Head of the Information Society Department, underlined the window of opportunity for the work of the CAI, in view notably of the upcoming 4th Summit of Heads of State and Government of the Council of Europe, to be held in Reykjavik, Iceland, on 16-17 May 2023.

Agenda item 2. Adoption of the agenda and order of business

- Adopt the agenda and order of business without amendments.
- Adopt, as amended, the report of the 3rd Plenary meeting of the Committee.

Agenda item 3. Information by the Secretariat

- Take note of the information provided by the Secretariat regarding its activities since the 3rd Plenary meeting, notably the organisation of the 4th meeting of the AI Coordination Group of the Secretariat held on 24 January 2023.
- Take note of the information provided by the Secretariat concerning the classification of documents of the Committee.

Agenda item 4. Exchange of information

- Take note of the intervention by Mr Paul ROWSELL (United Kingdom), Chair of the European Committee on Democracy and Governance (CDDG) and thank him for his participation in its meeting.

Agenda item 5. Negotiation of Draft Chapter VIII: Final Clauses (Plenary Session)

- Negotiate the draft Chapter VIII: Final Clauses prepared by the Drafting Group at its last session and agree on amendments to the text.
- Instruct the Drafting Group to take into account these amendments.

Agenda item 6. Re-examination of Draft Chapter VIII: Final Clauses (Drafting Group Session)

- Redraft Draft Chapter VIII: Final Clauses within the Drafting Group in light of the proposals made by the Plenary and written comments and suggestions submitted by individual Delegations.

Agenda item 7. Comments on the Preamble and Chapter VII: Follow-up mechanism and cooperation of the revised “Zero Draft” (Plenary Session)

- Formulate general comments on the Preamble and Chapter VII: Follow-up mechanism and cooperation of the revised “Zero Draft” for consideration by the Drafting Group.

Agenda item 8. Drafting of the Preamble and Chapter VII: Follow-up mechanism and cooperation of the revised “Zero Draft” (Drafting Group Session)

- Examine the Preamble and Chapter VII: Follow-up mechanism and cooperation of the revised “Zero Draft” within the Drafting Group, and redraft it considering the comments made in the Plenary session and the written contributions.
- Instruct the Secretariat to distribute the draft text with explanatory remarks to the Plenary for examination at its next meeting.

Agenda item 9. Date and place of the next meeting

- Hold its next Plenary meeting in Strasbourg on 19 - 21 April 2023.

Agenda item 10. Any other business

- Instruct the Secretariat to make the revised “Zero Draft” public, with the information that this is a document prepared by the Chair and the Secretariat and does not reflect the final outcome of negotiations in the Committee.

Agenda item 11. Adoption of the List of Items Discussed and Decisions Taken, and close of the meeting

- Adopt the List of Items Discussed and Decisions Taken.