



AI CONVENTION - INTERNATIONAL RELATIONS PRELIMS AND GS III MAINS

Q. The AI convention is essential because it reinforces existing human and fundamental rights within the context of AI applications, rather than creating new rights. Discuss along with its impacts on global nations. (10 marks, 150 words)

News: How Europe's AI convention balances innovation and human rights | Explained

What's in the news?

- Recently, the **Council of Europe (COE)** adopted the Framework Convention on Artificial Intelligence and Human Rights, Democracy, and the Rule of Law, known as the 'AI convention'.

Framework Convention on Artificial Intelligence and Human Rights, Democracy, and the Rule of Law:

Backdrop:

- The Framework Convention on Artificial Intelligence and Human Rights, Democracy, and the Rule of Law was adopted by the Council of Europe (COE) on 17 May 2024 and will be available for signature from 5 September 2024.

Legal Status:

- This framework convention is a **legally binding treaty** that sets out broad commitments and mechanisms for achieving them.

Core Principles:

- It ensures AI activities throughout their lifecycle comply with **human rights, democracy, and the rule of law.**

Application:

- It covers AI operations by **both public authorities and private actors**, emphasizing conformity with the convention's objectives.

Exemptions:

- Articles provide broad exemptions for **national security, research, development, testing, and defense.**
- The convention **does not specifically regulate military applications of AI**, reflecting the complexities and lack of global consensus on such regulation.

General Obligations and Broader Implications:

1. Human Rights and Democracy:



- It requires protection of human rights and integrity of democratic processes (Articles 4 and 5).

2. Additional Provisions:

- Although not specifically addressing disinformation or deepfakes it encourages actions against such threats under general obligations.

Importance of the AI Convention:

1. Reaffirming Existing Rights:

- The AI convention does not introduce new human rights specific to AI.
- Instead, it emphasizes that existing human and fundamental rights, protected by international and national laws, must remain safeguarded during the application of AI systems.

2. Governmental Responsibility:

- It emphasizes the role of governments in implementing effective remedies and procedural safeguards.

3. Comprehensive Approach:

- It aims to mitigate risks associated with AI use, particularly important as technology advances faster than policy can adapt.

4. Balance Between Innovation and Risk:

- Despite potential challenges and debates, particularly around the European notion of the rule of law, the convention is considered timely.
- It strikes a crucial balance between fostering innovation in AI and addressing risks to human rights.

Impact of the AI Convention:

1. Regional Influence:

- The AI convention could inspire similar conventions at the regional level in other parts of the world, promoting global standards in AI governance.

2. Indirect Effect on the U.S.:

- As the U.S. is a member of the COE, the AI convention might indirectly influence AI governance in the U.S., which is significant given its status as a hub for AI innovation.

3. European Values and Norms:

- A potential downside is that the AI convention might appear heavily influenced by European values in technology governance, leading to perceptions of bias.

Challenges:



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- Implementing the convention poses challenges, especially as AI regulation frameworks are still evolving and technology advances rapidly, often outpacing existing laws and policies.

Go back to basics:

Council of Europe (COE):

- The Council of Europe (CoE) is an international political organization that was founded in 1949 to protect human rights, democracy, and the rule of law.
- It is the oldest intergovernmental organization in post-World War II Europe and has the most member states, which cooperate voluntarily.

Headquarters - Strasbourg, France

Members:

- It has 46 members including the Holy See, Japan, and the U.S., plus countries of the EU bloc and others.

CoE's Areas of Concern:

- It addresses issues of common concern to its members, including human rights, crime prevention, drug abuse, environmental protection, bioethical issues, and migration.

The AI convention is essential because it reinforces existing human and fundamental rights within the context of AI applications, rather than creating new rights. It emphasizes the need for governments to uphold these rights and implement effective remedies and procedural safeguards.