



Recommendation 2182 (2020)¹
Provisional version

Justice by algorithm – the role of artificial intelligence in policing and criminal justice systems

Parliamentary Assembly

1. The Parliamentary Assembly refers to its [Resolution 2342 \(2020\)](#) “Justice by algorithm – the role of artificial intelligence in policing and criminal justice systems”, which was adopted while work was ongoing within the Council of Europe by the Ad hoc Committee on artificial intelligence (CAHAI).
2. The Assembly recalls that all Council of Europe member States are subject to the same basic standards of human rights and the rule of law, notably those established by the European Convention on Human Rights (ETS No. 5), as interpreted by the case law of the European Court of Human Rights. It considers that regulatory patchworks – varying standards in different countries – may give rise to ‘ethics shopping’, resulting in the relocation of AI development and use to regions with lower ethical standards.
3. The Assembly therefore calls on the Committee of Ministers to take into account the particularly serious potential impact on human rights of the use of artificial intelligence in policing and criminal justice systems when assessing the necessity and feasibility of a European legal framework for artificial intelligence.

1. *Text adopted by the Standing Committee*, acting on behalf of the Assembly, on 22 October 2020 (see [Doc. 15156](#), report of the Committee on Legal Affairs and Human Rights, rapporteur: Mr Boriss Cilevičs).

