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|  | **Addendum 1 to Document** **EG-ITRs-3/2-E** |
| **12 September 2024** |
| **Original: English** |
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| Contribution from Hill | |
| AI TREATY | |
| **Purpose**  To present a Council of Europe treaty on Artificial Intelligence (AI).  **Action required**  The Expert Group on the International Telecommunication Regulations is invited to **consider** this document.  **References**  *Council* [*Resolution 1379*](https://www.itu.int/md/S23-CL-C-0121/en) *(Terms of Reference); Documents* [*EG-ITRs-1/2*](https://www.itu.int/md/S23-EGITRS1-C-0002/en)*,* [*EG-ITRs-2/5*](https://www.itu.int/md/S24-EGITRS2-C-0005/en)*,* [*EG-ITRs-2/12*](https://www.itu.int/md/S24-EGITRS2-C-0012/en)*,* [*EG‑ITRs-2/18*](https://www.itu.int/md/S24-EGITRS2-C-0018/en) *and* [*EG-ITRs-2/21*](https://www.itu.int/md/S24-EGITRS2-C-0021/en) | |

Summary

This Addendum refers to a Council of Europe treaty on Artificial Intelligence (AI) and discusses its implications for the ITRs.

Proposal

1 On 5 September 2024, the [Council of Europe](https://www.coe.int/en/web/portal/home) (COE) announced that it had opened for signature the first global treaty on Artificial Intelligence, see:  
<https://www.coe.int/en/web/portal/-/council-of-europe-opens-first-ever-global-treaty-on-ai-for-signature>

The text of the treaty can be found here:  
<https://www.coe.int/en/web/conventions/full-list?module=treaty-detail&treatynum=225>

2 The COE treaty contains the following provisions, *inter alia*:

Article 8: “Each Party shall adopt or maintain measures to ensure that adequate transparency and oversight requirements … are in place … including with regard to the identification of content generated by artificial intelligence systems.”

Article 9: “Each Party shall adopt or maintain measures to ensure accountability and responsibility for adverse impacts on human rights, democracy and the rule of law resulting from activities within the lifecycle of artificial intelligence systems.”

Article 15.2: “Each Party shall seek to ensure that, as appropriate for the context, persons interacting with artificial intelligence systems are notified that they are interacting with such systems rather than with a human.”

3 Section 1.4 of Document [EG-ITRs-3/2](https://www.itu.int/md/S24-EGITRS3-C-0002/en) discusses the implications of Artificial Intelligence for the ITRs.

4 Paragraph 1.22 of Document [EG-ITRs-3/2](https://www.itu.int/md/S24-EGITRS3-C-0002/en) states that there appears to be an emerging consensus that, at a minimum:

*a)* AI systems should be transparent: it should be clear when something is AI-produced, and the training data and model architectures should be disclosed;

*b)* builders of AI systems should be made accountable for the outputs produced;

*c)* AI systems should not have full autonomous control of critical systems or infrastructure (which would include basic telecommunications infrastructure).

5 It appears that items *a)* and *b)* above are consistent with the cited provisions of the COE treaty on AI.

6 Annex 3 to Document [EG-ITRs-3/2](https://www.itu.int/md/S24-EGITRS3-C-0002/en) invites Member States to consider adding the following provisions to Article 3 of the ITRs:

*a)* [Omitted here: not related to AI.]

*b)* Member States shall endeavour to ensure that AI systems used for the international telecommunication network are transparent: it should be clear when something is AI‑produced, and the training data and model architectures should be disclosed.

*c)* Member States shall ensure that builders of AI systems used for the international telecommunication network are accountable for the outputs produced.

*d)* Member States shall ensure that AI systems do not have full autonomous control of critical systems or infrastructure used for the international telecommunication network (which would include basic telecommunications infrastructure).

7 It appears that items *b)* and *c)* above are consistent with the cited provisions of the COE treaty on AI.

8 It appears that the 46 States that are members of the Council of Europe are of the view that it is appropriate to consider treaty-level provisions for AI which are consistent with our proposals for the ITRs.

9 Consequently, we invite the ITU Member States to consider the matter, on the basis of the proposals set forth in Annex 3 to Document [EG-ITRs-3/2](https://www.itu.int/md/S24-EGITRS3-C-0002/en).

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