

2019 OSCE Annual Police Experts Meeting
Artificial Intelligence and Law Enforcement:
An Ally or an Adversary?

23-24 September 2019, Vienna, Hofburg

CONCEPT PAPER

Background and rationale

Artificial Intelligence (AI) is gradually becoming one of the most important technologies of our time. Its possible applications seem almost incomprehensible and its implications for our everyday lives cause both optimistic predictions about future opportunities and serious concerns about potential risks. AI can be defined as the ability of computers to perform tasks commonly associated with intelligent beings. In particular, AI is frequently applied to the project of developing systems endowed with the intellectual processes characteristic of humans, such as the ability to reason, discover meaning, generalize, or learn from past experience. Simply put, AI is a computer program that enables machines to demonstrate human-like intelligence or behavior.

Most of the ideas behind current AI are not entirely new, with some dating from 1970s. But recent significant increases in computing power, a growing amount of data available from our rapidly digitalizing world and the development of advanced algorithms (such as machine learning algorithms) have opened up new possibilities in AI.

In their efforts to increase efficiency and effectiveness, and to keep up with technological innovations, law enforcement authorities and agencies across the world are increasingly exploring potentials of AI for their work. The increasing amount of data obtained and stored by the police has also called for more sophisticated methods and tools for data management and analysis, identification of patterns, prediction of risks, and development of strategies to allocate human and financial resources where they are most needed. Even though the use of AI in the work of law enforcement is a relatively new topic, some AI-based tools have been already trialed and are even actively in use by police services of several countries around the world. These include video and image analysis software, facial recognition systems, biometric identification, autonomous drones and other robots, and predictive analysis tools to forecast crime “hot spots” or even to identify potential future criminals, in particular high-risk offenders.

It is commonly agreed that AI techniques have great future potentials for law enforcement, both with regard to day-to-day policing and countering terrorism and transnational organized crime. At the same time, history teaches us that criminals and criminal organizations attempt to misuse new technologies to conduct or bolster their illegal activities. Indeed, they are often the first “entrepreneurs” in terms of applying new technologies. Therefore, law enforcement authorities and agencies have no other option than to familiarize themselves with the new developments, methods

and techniques available in this area. Furthermore, serious concerns have been raised over the use of AI algorithms for criminal justice purposes. These include discussions on potential biases in AI systems or in police data, which might result in skewed connections, patterns, and predictions. Considerations regarding the types of police interventions based on AI algorithmic calculations as well as issues related to legality, ethics and human rights compliance have also been flagged. All these developments underline the growing importance of this topic for the work of law enforcement across the globe. Only international co-operation of law enforcement organizations, authorities and agencies, can provide States with the means to be one step ahead of criminals and therefore have the capacity to efficiently counter malicious uses of AI technologies.

The implications of AI for law enforcement have been attracting growing by the United Nations and other international and regional organizations. The United Nations Interregional Crime and Justice Research Institute (UNICRI) launched its programme on artificial intelligence and robotics in 2015. In September 2017, UNICRI established the Centre for Artificial Intelligence and Robotics in The Hague, the Netherlands. Dedicated high-level side events on this topic were organized at both the 70th and the 71st Sessions of the UN General Assembly in 2015 and 2016. The Council of Europe has also been active in addressing AI and its implications for the criminal justice system, the rule of law and the compliance of AI technologies with human rights, including organizing a high-level conference in Helsinki in February 2019.

The OSCE as the world's largest regional security organization with its 57 participating States and 11 Partners for Co-operation, is well-positioned to contribute to this emerging, yet increasingly important, debate. The OSCE Strategic Framework for Police-Related Activities (PC.DEC/1049) adopted in July 2012 highlights the importance of promoting the co-operation, information sharing and the exchange of best practices between police services of the OSCE participating States. It also underlines the importance of taking evolution of transnational threats and the rapidly changing criminal phenomena into account in planning and organizing the OSCE's police-related activities. With its comprehensive approach to security, which includes wide-ranging principles and commitments covering the human, economic/environmental as well as the politico-military dimensions of security, the OSCE can provide a suitable platform for exploring opportunities and risks related to the use of AI technologies in the criminal justice system.

Objective and expected outcomes

The main objective of the 2019 OSCE Annual Police Experts Meeting (APEM) is to discuss potential implications of developments in AI for the work of law enforcement authorities and agencies. In particular, the conference will focus on answering the following questions:

- How do developments in AI impact the work and structure of police services across the OSCE area and what new changes to policing can these technologies bring in the foreseeable future?
- How can AI technologies be exploited for criminal purposes and what are the prospects of AI-related crime in the future?
- What are the main legal, ethical, human rights and gender-related concerns of the use of AI in the work of law enforcement?

- How can international organizations, and in particular the OSCE, foster co-operation and provide a platform for the exchanging best practices and lessons learned, when it comes to these new opportunities and challenges?

This year's meeting builds on the forward-looking topics presented and discussed during recent years' APEMs. The 2018 meeting introduced new and emerging crime threats and trends and how the police can prepare for the future. In 2017, the APEM focused on seizure and confiscation of criminal proceeds as the most effective way to counter serious crime. The 2016 APEM introduced and discussed intelligence-led policing as a modern approach to complement contemporary policing methods.

The main findings and outcomes of the meeting will be compiled in a report, which will serve as a basis for further discussions on its topics at the national, regional and international level, and as guidance for the OSCE when developing and providing capacity-building and technical assistance to the OSCE participating States and Partners for Co-operation.

Structure of the Meeting

The 2019 APEM is organized by the Slovak OSCE Chairmanship with the support of the OSCE Secretariat's Transnational Threats Department/Strategic Police Matters Unit. The Meeting will be a one-and-a-half day event, starting in the morning of 23 September and closing around noon on 24 September. The meeting is open to law enforcement experts and other criminal justice practitioners, OSCE Delegations, representatives of regional and international organizations, technical specialists, researchers as well as civil society representatives from the OSCE participating States and Partners for Co-operation.

After a formal opening and welcoming remarks, the meeting will be divided into three main sessions. The first session will introduce the concept of AI and the use of AI-related technologies in the work of law enforcement authorities and agencies. Experts will present examples of AI instruments that the police services have been experimenting with or are using in their work, and discuss their potential benefits, future opportunities as well as risks and challenges. The second session will explore how AI technologies can be expected to be misused for committing various forms of crime in the future, including cybercrime, economic and environmental crime, trafficking in drugs and other illicit commodities or human trafficking. The third and final session will be dedicated to key legal, ethical, human rights and gender-related concerns linked to application of AI-based technologies in the work of law enforcement authorities and agencies.

A side event will be organized during the lunch break on 23 September.

About the OSCE Annual Police Experts Meetings

The Annual Police Experts Meeting is the main OSCE police-related event each year. The meetings are organized in accordance with article 4 of the OSCE Ministerial Council Decision of 4 December 2001 (MC(9).DEC/9), which calls upon the OSCE to convene meetings of police experts from its participating States and representatives of relevant specialized international and regional organizations.