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LIMITE

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CYBER 371

NOTE

From:	General Secretariat of the Council
To:	Delegations
Subject:	Request for endorsement by the Council of the Context Based Risk Analysis (COBRA) Resources model of the methodology for the risk and impact assessment of AI systems on human rights, democracy and the rule of law (HUDERIA) from the Council of Europe Committee on Artificial Intelligence (CAI) – NBI procedure

REDACTED DOCUMENT ACCESSIBLE TO THE PUBLIC (09.03.2026).

ONLY MARGINAL PERSONAL DATA HAVE BEEN REDACTED

Delegations will find in the Annex the Commission's request for endorsement by the Council, under the NBI procedure, of the Context Based Risk Analysis (COBRA) Resources model of the methodology for the risk and impact assessment of AI systems on human rights, democracy and the rule of law (HUDERIA) from the Council of Europe Committee on Artificial Intelligence (CAI). The COBRA model can be found in document 16537/25 ADD1.



EUROPEAN COMMISSION

Directorate-General for Communications Networks, Content and Technology

Artificial Intelligence Office

Artificial Intelligence Regulation and Compliance

Brussels, 5 December 2025

**NOTE FOR THE ATTENTION OF THE COUNCIL WORKING PARTY ON
TELECOMMUNICATIONS AND INFORMATION SOCIETY (TELECOM)**

***SUBJECT:* Request for endorsement by the Council of the Context Based Risk Analysis (COBRA) Resources model of the methodology for the risk and impact assessment of AI systems on human rights, democracy and the rule of law (HUDERIA) from the Council of Europe Committee on Artificial Intelligence (CAI)**

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REMARKS:

The Council of Europe Framework Convention on Artificial Intelligence, Human rights, Democracy and the Rule of Law ⁽¹⁾ (hereby ‘the convention’) was adopted on 17 May 2024 and signed by the Commission on behalf of the Union on 5 September 2024. Following this, the Council of Europe Committee of Artificial Intelligence started work on the development of a non-binding methodology for the Risk and Impact Assessment of AI Systems from the point of view of Human Rights, Democracy and Rule of Law (HUDERIA) to support the Parties to the convention in the implementation of the risk and impact management obligations included in the convention.⁽²⁾

⁽¹⁾ [CETS 225 - Council of Europe Framework Convention on Artificial Intelligence and Human Rights, Democracy and the Rule of Law \(coe.int\)](#)

⁽²⁾ See [Terms of reference of the Committee on Artificial Intelligence \(CAI\) of the Council of Europe](#)

Considering the close linkages with the convention and the relevant provisions of the AI Act on risk classification of AI systems and requirements for risk management and fundamental rights impact assessment, on 14 June 2024 the Commission informed the Working Party on Telecommunications and Information Society (TELECOM WP) of its intention to commence discussions on HUDERIA as a non-binding instrument on behalf of the EU.

The HUDERIA methodology was finalised and adopted by the Committee on Artificial Intelligence (CAI) of the Council of Europe on the occasion of its 12th plenary meeting on 26-28 November 2024 in Strasbourg. Subsequently, the Commission asked for the Council's endorsement of the adoption of the methodology with a note to the TELECOM WP on 6 December 2024. The Council gave its endorsement on 16 December 2024.

The 12th plenary meeting of the CAI decided to first finalise and adopt the main document (the 'methodology') only and to postpone to 2025 work to gather into a separate document different detailed elements (inter alia, examples of questionnaires, review of potentially problematic uses of AI, detailed methodological guidance) that are meant to support the concrete implementation of the methodology (the 'model'). Two plenaries of the CAI in 2025 (in May and November) and an informal online workshop in September 2025 were dedicated to the work on the part the HUDERIA model consisting of resources related to the first stage of the HUDERIA methodology, i.e. the context-based risk analysis (COBRA).

Both the methodology and the model are meant to be non-binding and offer guidance that future Parties to the convention may choose to use on a voluntary basis to implement its provisions (in particular on risk and impact management). The EU had to ensure that HUDERIA would have no legal effect and remained only one among many other possible methodologies for AI risk and impact assessment. Given that HUDERIA may also serve as inspiration for third countries, the Union aimed to ensure that it remains overall compatible with the AI Act's approach for risk classification of AI systems according to four levels ('prohibited', 'high-risk', 'transparency-related' and 'minimal to no risk') as well as the relevant requirements for risk management and fundamental rights impact assessment. Furthermore, with a view to fostering a consistent approach on assessing risks posed by AI, the EU aimed at ensuring, to the extent feasible, consistency and alignment with the approach of the AI Act and its relevant provisions on risk classification and risk and impact assessment.

Moreover, as far as the HUDERIA model is concerned, the EU aimed at ensuring that the approach already agreed for the HUDERIA methodology would be duly taken into account.

The Commission informed the TELECOM WP of the progress of the work on the HUDERIA model ahead of each of the two 2025 plenary meetings of the CAI, including via the provision of draft versions of the corresponding documents. In particular, a version that was close the one finally adopted by the CAI was discussed at the meeting of the TELECOM WP on 21 October 2025. In that version, all major comments previously made by the Commission with a view to achieving the above-mentioned objectives had been satisfactorily addressed. Further work on the model mainly aimed at streamlining and improving the clarity of the document.

The COBRA Resources of the HUDERIA model were finalised and adopted by the Committee on Artificial Intelligence of the Council of Europe at its 14th plenary meeting on 3-5 November 2025 in Strasbourg.

The final version of the document (ref. CAI(2025)6rev2 – annexed to this note) satisfactorily takes into account the comments and inputs submitted by the Commission on behalf of the EU.

It is to be noted that, subject to the Council of Europe's Committee of Ministers' approval, the work of the CAI will continue in its successor committee, the yet to be established new Steering Committee on New and Emerging Technologies (CDNET). Part of the envisioned work of the CDNET would include deliverables related to the HUDERIA methodology and model. Depending on the specific scope of the deliverables and their linkages to the Convention and the EU AI Act, the Commission may in the future start a new non-binding instrument procedure.

In view of the above, the Commission is seeking the Council's endorsement of the adoption of the COBRA Resources of the HUDERIA model.

Attachments

Context Based Risk Analysis (COBRA) Resources of the HUDERIA model, as adopted by the Council of Europe Committee on Artificial Intelligence (CAI) on 6 November 2025 in Strasbourg.

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