



First and Deputy First Ministers

SD03 Stormont Castle
Stormont Estate
Belfast
BT4 3TT

By email to: ost@executiveoffice-ni.gov.uk

7 October 2026

Dear First and Deputy First Ministers,

Re: Northern Ireland Draft Artificial Intelligence Strategy

We welcome the opportunity to provide our views on the draft Northern Ireland Artificial Intelligence Strategy (AI Strategy).

We appreciate the AI Strategy and the principles on which it is built, namely, human oversight, safety, fairness and transparency, accountability and redress, sustainability, societal benefit, and public dialogue. It recognises the risks associated with AI and the corresponding importance of safeguarding society. We look forward to the application of those values in practice.

However, we respectfully suggest the Executive Office should go further and explicitly embed human rights considerations into the AI Strategy.

AI engages virtually every internationally recognised human right, and well-documented harms are already documented globally. Those developing and deploying AI must therefore ensure that human rights protections are built into every phase of an AI system's lifecycle. AI systems should be designed with fundamental rights safeguards from the outset, should not be deployed until

those safeguards are in place, and should be withdrawn where unacceptable risks arise.

Effectively embedding human rights considerations into AI systems' lifecycle can help ensure innovation is both trustworthy and sustainable, and that its adoption in the public sector remains compliant with the UK's human rights legal obligations. To assist, we explore some areas in more detail.

- **Principle 1: Human Oversight**

We welcome the AI Strategy's focus on human oversight and emphasise that this is a key aspect of effective AI Governance. Human oversight must be meaningful rather than symbolic. Humans must remain in charge of, exercise independent judgement over and remain accountable for AI. This is particularly important in the public sector, where Section 6 of the Human Rights Act 1998 requires public authorities and entities carrying out public functions to act in a way that is compatible with the European Convention on Human Rights and Fundamental Freedoms (ECHR). The use of AI does not absolve public authorities from these responsibilities, rather it is likely to enhance their role. Public authorities will remain accountable for intended and unintended consequences that may result in human rights harms.

- **Principle 2: Accountability & Redress**

This element is key. It is directly connected to the human right to access an adequate remedy for human rights violations. Article 13 of the ECHR specifically requires the State to ensure there are remedies that are accessible and effective in law and practice, which are capable of addressing the substance of a complaint, and provide appropriate and adequate redress. The AI Strategy should therefore provide for accessible and effective redress mechanisms.

The AI Strategy's recommendation to align redress mechanisms with the principle of transparency is also critically important. Transparency is the foundation of everything but most certainly to enabling access to remedies. However, the complexity and autonomy of AI systems can make it difficult to understand how decisions are reached and who is responsible when things go wrong. Automation bias and overreliance tend to amplify this risk. As AI systems become more capable, decision-makers may increasingly defer to algorithmic

outputs rather than exercise critical judgment, making it more difficult and less likely that errors and unfairness are uncovered and challenged.¹

Meaningful transparency is not simply a technical specification, it is essential for accountability, procedural fairness and the effective protection of human rights.

- **Principle 3: Data Governance**

Everyone has the right to the protection of their data.² The European Court of Human Rights (ECtHR) has recognised that protecting personal data is fundamental to a person's enjoyment of her or his right to respect for private and family life under Article 8 of the ECHR.³ AI will have significant consequences for the enjoyment of human rights, especially when used for decision-making in sensitive areas.⁴ Therefore, the legal framework regulating AI must give effect to all relevant human rights standards, which include the EU human rights standards on data protection that are relevant to Northern Ireland as a result of Windsor Framework Article 2.

The UK Supreme Court found that Windsor Framework Article 2 may be capable of direct effect in conjunction with other EU instruments falling within the ambit of the Right, Safeguards and Equality of Opportunity chapter of the Belfast (Good Friday) Agreement 1998, provided that the obligation is clear, precise and unconditional, in line with the EU *Demirel* test.⁵ The relevant chapter of the 1998 Agreement includes commitments relating to the ECHR.⁶ Subject to any future consideration by the courts, the Commission considers that ECHR rights fall 'within the ambit' of the RSEO chapter of the 1998 Agreement and that therefore Windsor Framework Article 2 encompasses EU law that bound the UK before Brexit and underpins or gives expression to rights set out in the ECHR.⁷ That being the case, we consider that the right to the protection of personal data falls within the scope of Windsor Framework Article 2.

¹ This was identified, for example, by the Law Commission, '[AI and the Law: Discussion Paper](#)' (LC, 2025).

² See e.g. A/77/196, 'UN Special Rapporteur on the right to privacy Dr Ana Brian Nougères, Principles underlying privacy and the protection of personal data', 20 July 2022.

³ *Z v Finland*, Application No 22009/93, judgment of 25 February 1997; *Satakunnan Markkinapörssi Oy and Satamedia Oy v Finland*, Application No 931/13, judgment of 27 June 2017.

⁴ EU Fundamental Rights Agency, 'Assessing High-Risk Artificial Intelligence – Fundamental Rights Risks' (FRA, 2025).

⁵ *In the Matter of an Application by Martina Dillon and others for Judicial Review* [2026] UKSC 15, at para 116 and 118.

⁶ Belfast (Good Friday) Agreement, 10 April 1998, at Part 6 on Rights, Safeguards and Equality of Opportunity.

⁷ This was not considered by the UK Supreme Court in *In the Matter of an Application by Martina Dillon and others for Judicial Review* [2026] UKSC 15. For more please see Constitutional Issues – Human Rights After UK exit from the EU section of the Annual Statement. Please also see Northern Ireland Human Rights Commission, 'Briefing Note on Re: *Dillon and others* [2026] UKSC 15 and Article 2 of the Windsor Framework' (NIHRC, 2026); Northern Ireland Human Rights Commission and Equality Commission for NI, 'Working Paper: The Scope of Article 2(1) the Ireland/Northern Ireland Protocol' (NIHRC and ECNI, 2022).

Data protection is given effect across several EU measures,⁸ including the EU General Data Protection Regulation (EU GDPR), which is clear that “the protection of natural persons in relation to the processing of personal data is a fundamental right”.⁹ The EU Charter of Fundamental Rights continues to apply in the interpretation of relevant provisions.¹⁰ Article 7 of the EU Charter of Fundamental Rights protects the right to respect for private life, and Article 8 guarantees the protection of personal data.

- **Principle 4: Technical Safety & Security**

We acknowledge the inclusion of this principle in the AI Strategy. Safety and Security are essential aspects of any use of AI by public authorities. AI must be safe for humans and for human rights, and it must not be deployed unless and until it is. Public authorities, as outlined above, are accountable for their human rights obligations, even if using third-party AI systems.

In his 14 September 2026 letter, the United Nations High Commissioner for Human Rights, Volker Türk, called this a “watershed moment” for AI safety, with the emergence of increasingly capable AI agents operating with limited or no human supervision. He explained that it was taking us into “a realm of unprecedented risks”. He urged UN Member States to put human rights protection at the centre of AI safety and to actively safeguard people, communities, institutions and future generations.¹¹

We endorse his concern and reiterate the seriousness of AI safety and potential human rights harm. The AI Strategy must require strong safety standards and safety plans before AI is deployed, with particular consideration of human rights and the effect on communities.

⁸ Directive 2016/680/EU, ‘EU Parliament and Council Directive on the Protection of Natural Persons with Regard to the Processing of Personal Data by Competent Authorities for the Purposes of the Prevention, Investigation, Detection or Prosecution of Criminal Offences or the Execution of Criminal Penalties, and on the Free Movement of Such Data’, 27 April 2016; Directive 2009/136/EC, ‘EU Parliament and Council Directive Amending Directive 2002/22/EC on Universal Service and Users’ Rights Relating to Electronic Communications Networks and Services, Directive 2002/58/EC, Concerning the Processing of Personal Data and the Protection of Privacy in the Electronic Communications Sector and Regulation (EC) 2006/2004 on Cooperation between National Authorities Responsible for the Enforcement of Consumer Protection Laws’, 25 November 2009; Regulation 2018/1725/EU, ‘EU Parliament and Council Regulation on the Protection of Natural Persons with Regard to the Processing of Personal Data by the EU Institutions, Bodies, Offices and Agencies and on the Free Movement of Such Data’, 23 October 2018.

⁹ Recital 1, Regulation 2016/679/EU, ‘EU Parliament and Council Regulation on the Protection of Natural Persons with Regard to the Processing of Personal Data and on the Free Movement of Such Data’, 27 April 2016.

¹⁰ *In the Matter of an Application by Martina Dillon and Others for Judicial Review* [2024] NICA 59, at para 126. See also *Secretary of State for Work and Pensions v AT* [2023] EW CA Civ 1307, at para 92; Tobias Lock, Eleni Frantziou and Anurag Deb, ‘The Interaction Between the EU Charter of Fundamental Rights and General Principles with the Windsor Framework’ (NIHRC, 2024).

¹¹ Volker Türk, ‘To protect human rights now and into the future, we must govern AI urgently’, 14 September 2026.

- **Principle 5: Fairness & Transparency**

We have already observed that fairness and transparency should run through the AI Strategy. Therefore, its recognition that “AI must be developed and implemented in a way that mitigates bias, respects the rule of law, protects human rights, and embraces diversity” is welcomed.¹²

An important instrument to refer to when developing the AI Strategy is the Council of Europe Framework Convention on Artificial Intelligence and Human Rights, Democracy and the Rule of Law (Framework Convention on AI). This is the first international legally binding treaty on AI, which seeks to ensure that all AI systems comply with human rights, democracy, and the rule of law, while supporting technological progress and innovation. As a relatively new treaty, the UK has signed the Framework Convention on AI but has not ratified it. By taking this step, the UK has agreed to “not defeat the object and purpose of the treaty”.¹³ We look forward to the treaty’s ratification by the UK.

The Framework Convention on AI requires States to “adopt or maintain measures to ensure that the activities within the lifecycle of artificial intelligence systems are consistent with obligations to protect human rights, as enshrined in applicable international law and in its domestic law”.¹⁴ It also requires States to adopt or maintain measures to identify, assess, prevent, and mitigate risks posed by artificial intelligence systems by considering actual and potential impacts on human rights, democracy, and the rule of law.¹⁵

Human rights compliance must be central to all AI use, and the AI Strategy should explicitly embed this principle.

We recommend that the AI Strategy includes measures and actions that ensure human rights compliance is built into AI models throughout their lifecycle. To do so, all human rights protected by international treaties signed by the UK should be considered, with particular focus on their effects on marginalised communities. It would also be important to look at that from a gender perspective.¹⁶

¹² TEO, Northern Ireland’s Draft Artificial Intelligence Strategy, at 24.

¹³ Article 18, Vienna Convention on the Law of Treaties 1969.

¹⁴ Article 4, CoE Framework Convention on Artificial Intelligence and Human Rights, Democracy and the Rule of Law.

¹⁵ Article 16(1), CoE Framework Convention on Artificial Intelligence and Human Rights, Democracy and the Rule of Law.

¹⁶ Volker Türk, ‘High Commissioner Türk at the Global Dialogue on AI Governance: Taking Back Our Agency in the Age of AI’, 7 July 2026; Volker Türk, ‘High Commissioner Türk: Building a fair digital future 22 September 2025.

- **Principle 6: Environmental Sustainability**

We also appreciate the recognition given in the AI Strategy to environmental protection and Northern Ireland's climate commitments. We are particularly encouraged that the AI Strategy's aim includes "ensuring the development of AI is proportionate and does not place excessive demands on our energy and water infrastructure at the expense of communities".¹⁷

AI and its supporting infrastructure, such as data centres, have been linked to environmental harm. Some concerns include energy and water consumption, greenhouse gas emissions, reliance on critical minerals, and electronic waste.¹⁸

The right to a safe, clean, healthy and sustainable environment is an internationally recognised human right.¹⁹ In our briefing paper 'Human Rights and Climate Change', we explore how the UK's human rights obligations apply to climate change and environmental degradation. Climate change directly and indirectly engages and may infringe human rights, including the rights to life, housing, water and sanitation, food, health, development, private and family life, and an adequate standard of living.²⁰

We agree that proportional use should be paramount, but suggest that some concrete actions should be included in the AI Strategy to ensure this is achieved in practice.

The issue of large-scale data centres is widely debated in respect of their impact on electricity, water supplies, and land use.²¹

AI development raises important social questions, and a wide and meaningful dialogue should be ensured. Plans to develop large-scale AI infrastructure should undergo democratic and civic scrutiny and include meaningful community input in the decision-making process, which will assist with the application of the relevant principles, not least transparency, fairness, and accountability.

¹⁷ TEO, Northern Ireland's Draft Artificial Intelligence Strategy, at 25.

¹⁸ For example, see UN Environment Programme, '[AI has an environmental problem. Here's what the world can do about that](#)', (UNEP, 2025); Water UK, '[Data Centres' Water Use - Water UK's response to the Environmental Audit Committee call for evidence 02.04.26](#)' (EAC, 2026).

¹⁹ /HRC/RES/48/13, 'Resolution adopted by the Human Rights Council: The human right to a clean, healthy and sustainable environment', 18 October 2021.

²⁰ Northern Ireland Human Rights Commission, 'Briefing Paper: Human Rights and Climate Change' (NIHRC, 2025).

²¹ Such as in New York. See [New York becomes first state to impose one-year pause on new AI datacenters | New York | The Guardian](#); [Planning permission for new Scottish AI datacentres suspended for up to a year | Datacentres - UK | The Guardian](#); [Moratorium on new AI data centres - Early Day Motions - UK Parliament](#).

- **Principle 7: Societal Benefit**

At this year's AI Impact Summit, the United Nations High Commissioner for Human Rights, Volker Türk, posed the question: *What is AI for?* He emphasised that this revolutionary technology has enormous potential to improve lives, advance human rights, and protect the planet, but observed that AI will benefit humanity only if human rights remain at its core.²² We agree.

We are very supportive of the AI Strategy's attempt to embed societal benefit as a key value and agree that it is important that "every AI initiative must demonstrate a measurable benefit for citizens or public services".²³ The AI Strategy proposes to integrate a cost-benefit assessment matrix to demonstrate the value of AI use over other methods, include metrics to monitor operational efficiency, cost-effectiveness, quality of citizen experience, and improved outcomes throughout project delivery, and produce impact summaries at project completion and share best practice and lessons learned.²⁴ This is essential but is not, in our view, sufficient.

Human rights impact is an important aspect of these proposed actions, metrics and assessments and should be included directly and clearly.

We recommend that the Executive Office provides specifically for human rights due diligence processes and impact assessments in the AI Strategy and thereafter, to assess policies and plans against potential effects on human rights and equality law.

Human rights assessment is critically important. Human rights impact assessments are foundational tools that should be adopted in every process, meaningfully and substantively.²⁵ The Council of Europe has developed and made available HUDERIA, which is a methodology and model to conduct risk and impact assessments of AI systems from the perspectives of human rights, democracy, and the rule of law. It is intended for public and private actors and links international human rights standards to existing technical risk-management frameworks in AI.²⁶ The HUDERIA methodology could serve as a valuable model

²² Volker Türk, 'High Commissioner Türk: Human rights are the foundations for AI that benefits humanity' (OHCHR, 2026).

²³ TEO, Northern Ireland's Draft Artificial Intelligence Strategy, at 26.

²⁴ TEO, Northern Ireland's Draft Artificial Intelligence Strategy, at 26.

²⁵ So important is this assessment that it should allow even a moratorium prior to further development or deployment in the estimated of the CoE. See Article 16 of the CoE Framework Convention on Artificial Intelligence and Human Rights, Democracy and the Rule of Law which calls on States to assess the need for a moratorium or ban or other appropriate measures in respect of certain uses of artificial intelligence systems where it considers such uses incompatible with respect for human rights, the functioning of democracy or the rule of law.

²⁶ CoE, 'HUDERIA Methodology and Model: Methodology for assessing the risks and impacts of artificial intelligence systems from the perspective of human rights, democracy and the rule of law and Resource model for context-based risk

for businesses and public authorities conducting human rights due diligence for the AI systems they use.

- **Principle 8: Training & Literacy**

We welcome the AI Strategy's focus on ensuring access to this technology's potential benefits through training and education.

The AI Strategy should also, we suggest, explore how to embed safeguards against precarious work, long-term unemployment and a wider digital divide in Northern Ireland caused by AI rollout.

Moreover, advances in technology must remain accessible. In its preamble, the Convention on the Rights of Persons with Disabilities (CRPD) recognises "the importance of accessibility to the physical, social, economic and cultural environment, to health and education and to information and communication, in enabling persons with disabilities to fully enjoy all human rights and fundamental freedoms".²⁷ Article 9 of the CRPD protects the right to accessibility to "information and communications, including information and communications technologies and systems, and to other facilities and services open or provided to the public, both in urban and in rural areas".

This right must remain central to the AI Strategy, to ensure the technology is accessible to persons of all abilities. Many challenges were identified during the Covid pandemic which will also inform such assessments.

- **Public Procurement**

We note the inclusion of public procurement as a critical aspect of the AI Strategy and that its principles "will be applied in the procurement process for suppliers who must evidence how their AI systems support the requirements for oversight, fairness, transparency, accountability, sustainability, training and societal benefits".²⁸ This list should also include human rights compliance.

Public procurement governance is important for AI. When procuring AI models, public authorities become de facto regulators by setting the objectives, safeguards and accountability mechanisms those systems are expected to meet.

analysis (COBRA)' (CoE, 2025 and 2026). Available at: [HUDERIA - risk and impact assessment of AI systems - Artificial Intelligence](#).

²⁷ Preamble (v) CRPD.

²⁸ TEO, Northern Ireland's Draft Artificial Intelligence Strategy, at 27.

Procurement contracts can embed transparency, fairness, and human rights protections from the outset.

Northern Ireland already has a framework for this. The Human Rights in Public Procurement Policy Note 05/21 requires Departments to apply a human rights-based approach to procurement exercises. While not AI-specific, these rules will equally apply to AI procurement and should be applied.

However, effective implementation will require enhanced technical expertise and capacity-building among procurement professionals. The AI Strategy should consider ways in which procurement professionals within Departments can be equipped with the technical skills and resources to effectively interrogate and assess these models in bidding exercises.

- **Participation and engagement**

We appreciate the intention to bring together a wide range of stakeholders to shape the future of responsible AI use. We agree that this will provide a practical safeguard and ensure greater transparency if done properly.

Article 19 of the Framework Convention on AI makes clear that Member States should “seek to ensure that important questions raised in relation to artificial intelligence systems are, as appropriate, duly considered through public discussion and multistakeholder consultation in the light of social, economic, legal, ethical, environmental and other relevant implications”.

The associated explanatory report notes that civil society and National Human Rights Institutions should be included in public discussions.²⁹ We agree.

We were concerned to note, therefore, that Northern Ireland’s human rights and equality bodies were not among the stakeholders and sectors identified in the AI Strategy. They should be included and consulted.

- **A business and human rights issue**

Protecting human rights in the age of AI is also the responsibility of businesses that develop, procure or deploy AI. The UN Guiding Principles on Business and

²⁹ CoE, ‘Explanatory Report to the Council of Europe Framework Convention on Artificial Intelligence and Human Rights, Democracy and the Rule of Law’, at para 120.

Human Rights are the internationally recognised standards for preventing and addressing human rights harms linked to business activities, including AI.³⁰

Businesses should apply human rights due diligence to identify, prevent and mitigate AI-related risks, while ensuring transparency, accountability and access to remedy. In practice, this may include assessing risks such as algorithmic discrimination, privacy violations, environmental harm, child safety concerns, and labour exploitation within AI supply chains. States, in turn, must provide effective legal safeguards that promote responsible corporate conduct.

Both public and private actors using AI are within the scope of the Framework Convention on AI. Article 3 requires States to apply the AI Convention to the AI activities of public authorities and private actors acting on their behalf. Additionally, it requires States to address risk and the impact arising from AI activities by private actors (including those acting independently) in a manner conforming with the object and purpose of the AI Convention. The fulfilment of human rights will only be achieved when all actors are required to comply. It is each State's overarching duty to ensure there are effective systems in place to guarantee the protection of the rights protections of every person within its jurisdiction. That means the horizontal impact must also be considered and provided for.

May I take this opportunity to thank you for the opportunity to consider this fully and for your engagement on these critical issues. The Commission will be happy to engage further on any issue arising herein and on any new issue that might arise. Please don't hesitate to contact our office if we can be of any assistance.

Yours sincerely,



Alyson Kilpatrick
Chief Commissioner

³⁰ UN Working Group on BHR, '[Artificial intelligence procurement and deployment: ensuring alignment with the Guiding Principles on Business and Human Rights](#)'; Article 16, CoE Framework Convention on Artificial Intelligence and Human Rights, Democracy and the Rule of Law.