

Prohibited AI systems

‘Unacceptable risk’ AI systems are banned



The AI Act identifies certain AI systems as presenting an ‘unacceptable’ risk to people’s safety, livelihood or rights. Those AI systems are prohibited in the EU.

Which AI systems present ‘unacceptable risks’?

- **Social scoring systems** that evaluate or classify individuals or groups based on their social behaviour or characteristics, leading to unfavourable treatment.
- **Predictive policing systems** used to assess or predict the risk of someone committing a criminal offence, where that is based solely assessing a person’s personality traits and characteristics.
- **Emotion-recognition systems** that infer emotions in the workplace and education institutions, unless for medical or safety reasons.
- **Biometric categorisation systems** that categorise people using biometric data (e.g. fingerprints or facial images) to infer things like their race, political opinion, trade union membership, religious beliefs, sex life or sexual orientation.
- **Real-time biometric identification systems** used for law enforcement purposes in publicly accessible spaces except in limited, authorised situations (e.g. searching for abducted people and the prevention of terrorism).
- **Image-scraping systems** that create or expand facial recognition databases through the untargeted scraping of facial images from the internet or CCTV footage.

Real-life example

Models to predict re-offending risk used by US criminal justice systems were found to be racially biased. Black defendants were more likely than their white counterparts to be assessed as having a higher risk of recidivism.

Real-life example

Clearview AI scraped over 3 billion images from the internet to train its facial recognition tool, which it then licensed to law enforcement agencies.