

AI Act: Prohibited AI Practices (Art. 5)

Manipulation of behaviour	Manipulation and exploitation of vulnerable groups	Biometric categorisation	Social Scoring	Biometric real-time remote identification	Predictive Policing	Untargeted scraping of biometric data
<p>the placing on the market, the putting into service or the use of an AI system that deploys subliminal techniques beyond a person's consciousness or purposefully manipulative or deceptive techniques, <u>with the objective, or the effect of, materially</u> distorting the behaviour of a person or a group of persons by appreciably impairing their ability to make an informed decision, thereby causing a person to take a decision that that person would not have otherwise taken in a manner that causes or is likely to cause that person, another person or group of persons significant harm</p>	<p>the placing on the market, the putting into service or the use of an AI system that exploits any of the vulnerabilities of a person or a specific group of persons due to their age, disability or a specific social or economic situation, <u>with the objective, or the effect, of materially</u> distorting the behaviour of that person or a person belonging to that group in a manner that causes or is reasonably likely to cause that person or another person significant harm</p>	<p>the placing on the market, the putting into service for this specific purpose, or the use of biometric categorisation systems that categorise individually natural persons based on their biometric data to deduce or infer their race, political opinions, trade union membership, religious or philosophical beliefs, sex life or sexual orientation; <u>this prohibition does not cover any</u> labelling or filtering of lawfully acquired biometric datasets, such as images, based on biometric data or categorizing of biometric data in the area of law enforcement</p>	<p>the placing on the market, the putting into service or the use of AI systems for the purpose of the evaluation or classification of natural persons or groups of persons over a certain period of time based on their social behaviour or known, inferred or predicted personal or personality characteristics, with the social score leading to either or both of the following</p> <ul style="list-style-type: none"> • detrimental or unfavourable treatment of certain natural persons or whole groups of persons in social contexts that are unrelated to the contexts in which the data was originally generated or collected • detrimental or unfavourable treatment of certain natural persons or groups of persons that is unjustified or disproportionate to their social behaviour or its gravity 	<p>the use of 'real-time' remote biometric identification systems in publicly accessible spaces for the purposes of law enforcement, <u>unless</u> and in so far as such use is <u>strictly necessary</u> for one of the following objectives</p> <ul style="list-style-type: none"> • the targeted search for specific victims of abduction, trafficking in human beings or sexual exploitation of human beings, as well as searching for missing persons • the prevention of a specific, substantial and imminent threat to the life or physical safety of natural persons or a genuine and present or genuine and foreseeable threat of a terrorist attack • the localisation or identification of a person suspected of having committed a criminal offence, for the purpose of conducting a criminal investigation, prosecution or executing a criminal penalty for offences referred to in Annex II and punishable in the Member State concerned by a custodial sentence or a detention order for a maximum period of at least four years 	<p>the placing on the market, the putting into service for this specific purpose, or the use of an AI system for making risk assessments of natural persons in order to assess or predict the likelihood of a natural person committing a criminal offence, based solely on the profiling of a natural person or on assessing their personality traits and characteristics; this prohibition shall not apply to AI systems used to support the human assessment of the involvement of a person in a criminal activity, which is already based on objective and verifiable facts directly linked to a criminal activity</p>	<p>the placing on the market, the putting into service for this specific purpose, or use of AI systems that create or expand facial recognition databases through the <u>untargeted scraping</u> of facial images from the internet or CCTV footage</p> <div data-bbox="2508 869 2791 981" data-label="Section-Header"> <h3>Emotion recognition</h3> </div> <p>the placing on the market, the putting into service for this specific purpose, or the use of AI systems to infer emotions of a natural person <u>in the areas of workplace and education institutions</u>, except where the use of the AI system is intended to be put in place or into the market for medical or safety reasons</p>