

Civil Society Organisations Call for Prioritisation of Fundamental Rights in AIA

News

Anna Pinggen

On 30 November 2021, 115 civil society organisations published a [collective statement](#) calling for EU institutions to prioritise fundamental rights in the Artificial Intelligence Act (AIA). The statement outlines recommendations to guide the European Parliament and Council of the European Union in [amending the European Commission's AIA proposal](#) (→ [eucrim 2/2021, 77](#)). In their statement, the civil society organisations voice several demands, including the following:

- A cohesive, flexible, and future-proof approach to the “risk” of AI systems: The statement calls the AIA’s current risk-based approach dysfunctional. The *ex-ante* approach of designating AI systems to different risk categories does not take into consideration that the level of risk also depends on the context in which a system is deployed, which cannot be fully determined in advance. Hence, robust and consistent update mechanisms for “unacceptable” and limited-risk AI systems should be introduced;
- Prohibitions on all AI systems posing an unacceptable risk to fundamental rights: The scope of Art. 5 of the AIA should be expanded to include social scoring systems, remote biometric identification in public places, emotion recognition systems, discriminatory biometric categorisation, AI physiognomy, and systems used to “predict” criminality or to profile and risk-assess in the context of immigration control;
- Obligations on users of high-risk AI systems to facilitate accountability towards those impacted by AI systems: this includes the obligation to conduct a fundamental rights impact assessment (FRIA) before deploying any high-risk AI system;
- Consistent and meaningful public transparency;
- Meaningful rights and redress for persons impacted by AI systems;
- The introduction of horizontal, public-facing transparency requirements on the resource consumption and greenhouse gas emission impacts of AI systems;
- Improved and future-proof standards for AI systems;

A truly comprehensive AIA that works for everyone by ensuring data protection and privacy for persons with disabilities.

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