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graph TD; A[AI systems] --> B[Does it potentially cause significant harm to Fundamental Rights and Union Values?]; B --> C[Fundamental Rights: e.g. Right to non-discrimination, Data protection, Privacy, Rights of the child]; B --> D[Union values: e.g. Human dignity, Freedom, Equality and justice, Democracy, Rule of Law]
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The diagram illustrates the ethical considerations for AI systems. It starts with a box labeled "AI systems". An arrow points down to a yellow box asking: "Does it potentially cause significant harm to Fundamental Rights and Union Values?". From this yellow box, two arrows point to the right, leading to two columns of text. The first column, titled "Fundamental Rights:", lists examples such as the right to non-discrimination, data protection, privacy, and the rights of the child. The second column, titled "Union values:", lists examples such as human dignity, freedom, equality and justice, democracy, and the rule of law.



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graph TD
    Q1{Does it contain a hidden message beyond a person's consciousness or purposefully manipulates or distorts human behavior?}
    Q2{Does it intentionally exploit or discriminate against vulnerable groups?}
    Q3{Does it analyze data to evaluate/make judgements of natural person(s)?}
    Q4{Is it used to evaluate individuals based on their behavior and actions/socio-economic status/personality characteristics, similar to a social scoring system implemented by the authorities?}
    Q5{Is it capturing/using personal data/biometric-based data?}

    Q1 -- YES --> UR1[Unacceptable Risk]
    Q1 -- NO --> Q2
    Q2 -- YES --> UR2[Unacceptable Risk]
    Q2 -- NO --> VG[Vulnerable groups, e.g.: Disabled Children, Age, physical or mental ability]
    VG --> Q3
    Q3 -- YES --> Q4
    Q3 -- NO --> Q5
    Q4 -- YES --> UR3[Unacceptable Risk]
    Q4 -- NO --> Q5
    Q5 -- YES --> UR4[Unacceptable Risk]
    Q5 -- NO --> UR5[Unacceptable Risk]
  
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Unacceptable Risk

Value at risk: human dignity, right to non-discrimination
Requirement: Prohibited
Exemption: For military & research purpose

Unacceptable Risk

Value at risk: human dignity, right to non-discrimination
Requirement: Prohibited
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Unacceptable Risk

Value at risk: human dignity, right to non-discrimination and the values of equality and justice
Requirement: Prohibited
Exemption: For military & research purpose

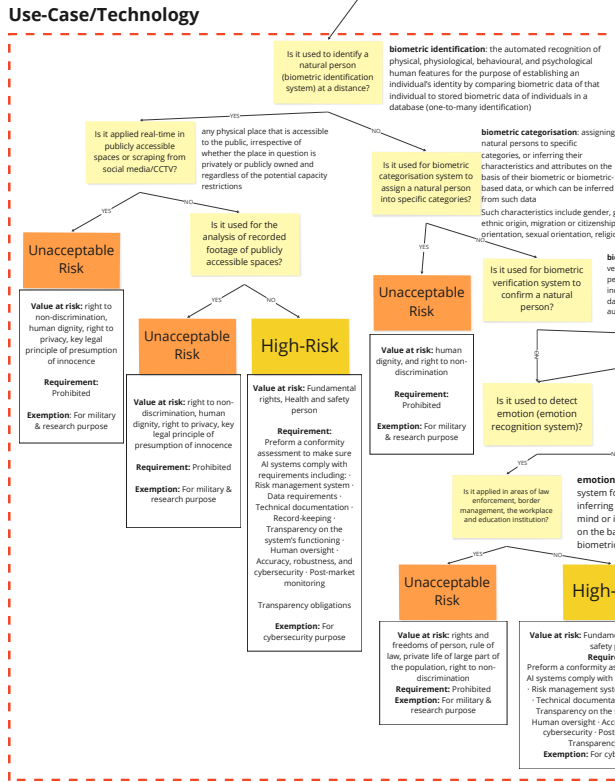
biometric data: personal data resulting from specific technical processing relating to the physical, physiological or behavioural characteristics of a natural person, which allow or confirm the unique identification of that natural person, such as facial images or dactyloscopic data

biometric-based data: means data resulting from specific technical processing relating to physical, physiological or behavioural signals of a natural person

Vulnerable groups, e.g.:
 Disabled
 Children
 Age, physical or mental ability

Is it used to evaluate individuals based on their behavior and actions/socio-economic status/personality characteristics, similar to a social scoring system implemented by the authorities?

Is it capturing/using personal data/biometric-based data?



Regulated under Union Harmonisation Legislation?

Machinery, safety-critical transport, recreational craft and personal watercraft, lifts and safety components of lifts
Equipment and protective systems intended for use in potentially explosive atmospheres,
Radio equipment
Pressure equipment, Cableway installations, personal protective equipment
Appliances burning gaseous fuels, medical devices, in-vitro diagnostic medical devices
Civil aviation security, two- or three-wheeled vehicles and quadricycle
Agricultural and forestry vehicles, marine equipment, interoperability of the rail system
Motor vehicles and their trailers, civil aviation

Is it regulated under Union Harmonisation Legislation?

NO

Is it used to evaluate eligibility/credibility/trustworthiness of natural persons or essential private/public services and benefits?

High-Risk

Value at risk: Fundamental rights, Health and safety person
Requirement:
 Perform a conformity assessment to make sure AI systems comply with requirements including: Risk management system - Data requirements - Technical documentation - Record-keeping - Transparency on the system's functioning - Human oversight - Accuracy, robustness, and cybersecurity - Post-market monitoring
Exemption: Cybersecurity purpose

Public/private services:
 housing, electricity, internet, credit scoring, health and life insurance, emergency call/healthcare

Is it used as a safety component in critical infrastructure?

High-Risk

Value at risk: Fundamental rights, Health and safety person
Requirement:
 Perform a conformity assessment to make sure AI systems comply with requirements including: Risk management system - Data requirements - Technical documentation - Record-keeping - Transparency on the system's functioning - Human oversight - Accuracy, robustness, and cybersecurity - Post-market monitoring
Exemption: Cybersecurity purpose

Is it used to determine access/influence decisions/supervision decision-making as a tool of natural persons in these areas?

High-Risk

Value at risk: Fundamental rights, Health and safety person & environment
Requirement:
 Perform a conformity assessment to make sure AI systems comply with requirements including: Risk management system - Data requirements - Technical documentation - Record-keeping - Transparency on the system's functioning - Human oversight - Accuracy, robustness, and cybersecurity - Post-market monitoring
Exemption: Cybersecurity purpose

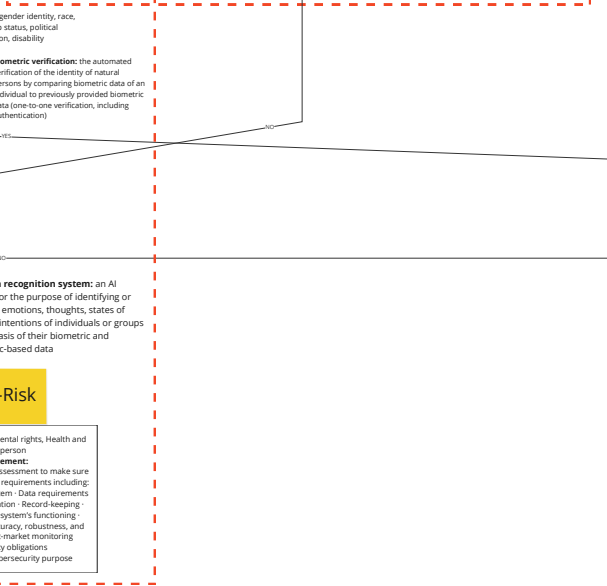
Value at risk: Fundamental rights, Health and safety person
Requirement:
 Perform a conformity assessment to make sure AI systems comply with requirements including: Risk management system - Data requirements - Technical documentation - Record-keeping - Transparency on the system's functioning - Human oversight - Accuracy, robustness, and cybersecurity - Post-market monitoring
Exemption: Cybersecurity purpose

The area:
Educational and vocational training institutions (e.g. tools to assess student, monitoring)
Employment, workers management and access to self-employment (e.g. tools to screening, monitoring, evaluating performance),
Law enforcement (e.g. Tools to evaluate reliability of evidence, as polygraphs, for natural person profiling, crime analysis),
Migration, asylum and border control management (e.g. Tools to assess security risk, document verification, evaluate evidence of application, to monitor border, trend forecasting, as polygraphs),
Administration of justice and democratic processes (e.g. Tools to research fact and law, to influence outcome/voting behavior of an election, to recommend system of large online platforms)

Critical Infrastructure:
 Road, rail and air traffic, the supply of water, gas, heating, electricity

High-Risk

Value at risk: Fundamental rights, Health and safety person
Requirement:
 Perform a conformity assessment to make sure AI systems comply with requirements including: Risk management system - Data requirements - Technical documentation - Record-keeping - Transparency on the system's functioning - Human oversight - Accuracy, robustness, and cybersecurity - Post-market monitoring
Exemption: Cybersecurity purpose



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graph TD
    Q1[Does it intend to interact with natural persons?] -- YES --> LR1[Limited Risk]
    Q1 -- NO --> Q2[Is it generating or manipulating image, audio, or video content to resemble existing entities/natural persons?]
    Q2 -- YES --> LR2[Limited Risk]
    Q2 -- NO --> MR[Minimal Risk]
  
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Limited Risk

Value at risk: Human rights (protection of personal data), human dignity

Requirement: Transparency obligations

Exemption: It is authorised by law to detect, prevent, investigate and prosecute criminal offences

Limited Risk

Value at risk: Human rights (protection of personal data), human dignity

Requirement: Transparency obligations

Exemption: It is authorised by law to detect, prevent, investigate and prosecute criminal offences

Minimal Risk