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A(I)lert: AI Regulations & Policy Insights

Guidelines on Prohibited Artificial Intelligence (AI) Practices

The **AI Act (Regulation (EU) 2024/1689)** aims to balance innovation with strong protections for health, safety, and fundamental rights by categorizing AI systems based on risk levels—ranging from prohibited to high-risk, along with systems subject to transparency requirements.



On February 4, 2025, the European Commission published **guidelines on prohibited AI practices**. These guidelines address practices deemed unacceptable due to their potential to violate fundamental rights, including:

- **Subliminal Manipulation:** AI systems designed to alter human behavior beyond a person's consciousness, leading to potential harm.
- **Exploitation of Vulnerabilities:** AI systems that exploit users' vulnerabilities based on age, disability, or socio-economic factors.
- **Social Scoring:** AI models that assess individuals based on personal behavior or characteristics, potentially leading to discriminatory treatment.
- **Real-Time Remote Biometric Identification:** The use of AI for real-time biometric identification in public spaces, except under specific law enforcement circumstances.

While these guidelines clarify the Commission's stance, they are non-binding, meaning the Court of Justice of the European Union (CJEU) holds ultimate authority over legal interpretations.



Guidelines on AI System Definition

On February 6, 2025, the European Commission published **guidelines to help providers determine whether a software system qualifies as an AI system under the AI Act**. These guidelines clarify key aspects, including:

- **The “Machine-Based System” Concept:** Establishing what qualifies as an AI-driven system.
- **Autonomy and Adaptiveness:** Defining how AI systems operate independently and evolve based on data inputs.
- **Interaction with the Environment:** Examining how AI systems engage with users and surroundings to perform tasks.

These advisory, non-mandatory guidelines are expected to evolve as new AI use cases and challenges emerge.



Eurobarometer Survey: AI gaining ground in European workplaces - the Competitiveness Compass

A recent Eurobarometer survey, released on February 13, 2025, highlights **strong support among Europeans for the integration of artificial intelligence (AI) in the workplace**. The findings show that many citizens across the EU view digital technologies, including AI, as beneficial not only for their jobs but also for the economy, society, and overall quality of life.

According to the survey:

- **More than six in ten Europeans** have a favorable opinion of AI and robotics at work.
- **Over 70%** believe these technologies **boost productivity**.

- While most respondents back the use of AI-driven decision-making in professional settings, **84% stress the importance of robust management practices** to safeguard privacy and uphold transparency.

These insights align with the **EU's Competitiveness Compass**, which prioritizes the adoption of digital solutions to drive innovation and efficiency.

The Competitiveness Compass proposes concrete actions to achieve the key goals below:

- Eliminating the innovation gap
- Aligning decarbonization and competitiveness
- Enhancing security and reducing excessive dependencies

The Compass outlines how the EU plans to drive innovation by supporting large companies in adopting advanced technologies like artificial intelligence (AI) and robotics through the dedicated “Apply AI” initiative.



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