

Do Citizens Agree with the EU AI Act? Public Perspectives on Risk and Regulation of AI Systems

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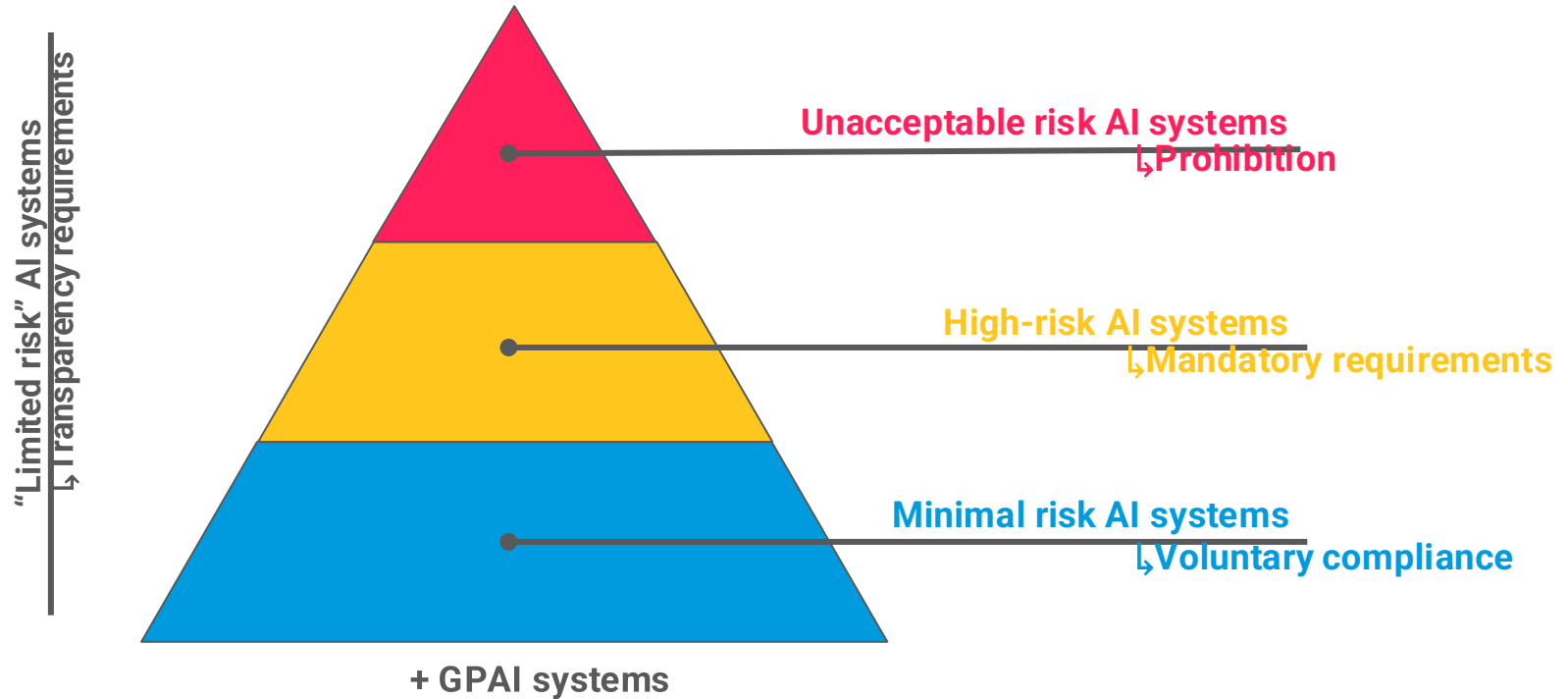
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AI Act's risk-based approach

- The AI Act recognizes that AI can pose risks to fundamental rights, health, safety, democracy, the rule of law, the environment, and other protected values (Art. 1(1))
- **It imposes requirements on AI systems based on the risk they pose**, striking a balance between AI innovation and protection of fundamental rights

The EU AI Act risk “pyramid”



But is the AI Act actually aligned with public opinion?

- A 2020 consultation found that citizens were less likely (vs. corporate actors) to agree that mandatory requirements should be restricted to high-risk AI systems



352
Business and
industry

Industry and business responses were more likely to agree with limiting new compulsory requirements to high-risk applications. 55% of them took this position. Large companies were even more likely to advocate for a limitation: 63% of large companies and 53% of SMEs argued that compulsory requirements should be limited to high-risk AI applications.



406
Citizens

By contrast, only 39% of citizens argued that compulsory requirements should be limited to high-risk AI applications.

Our overarching research question

To what extent is the **AI Act's risk-based approach** aligned with the **general public's expectations**?

- 1) Perceived risk of AI systems
- 2) Expectations of whether AI systems should be regulated or prohibited
- 3) Perceived importance of several AI Act requirements

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Identifying AI systems and their risk level

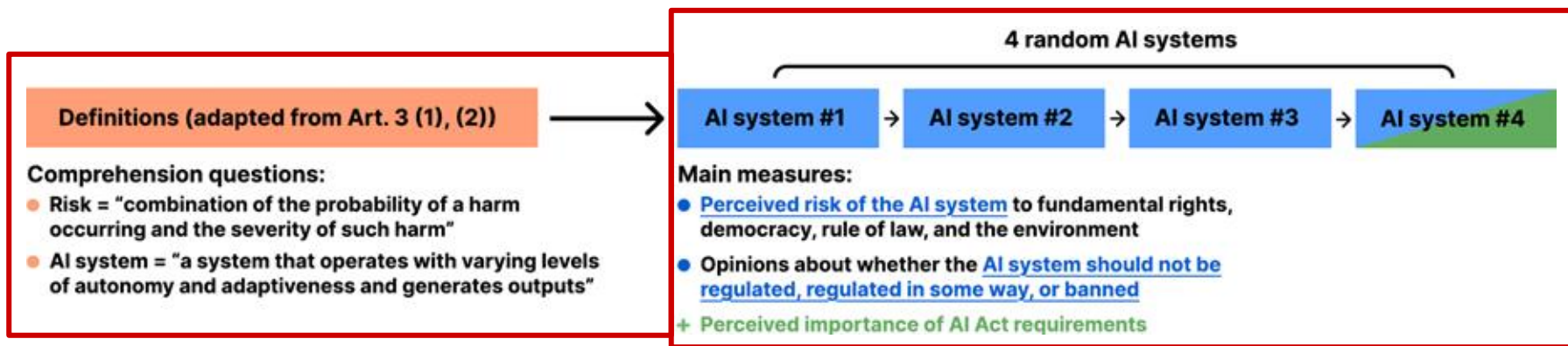
- Through an iterative process, we identified 48 AI systems that would fall under the AI Act's definition and classified them into...
 - **Unacceptable risk (N=10)**
 - **High-risk (N = 26)**
 - **Minimal risk (N = 12)**

“An AI system intended to be used to infer students’ emotions during class” (Art. 5(1)f)

“An AI system intended to be used to decide which employees receive promotions”
(Annex III (4b))

“An AI system intended to be used to summarize books”

Study design



Perceived risk of AI systems

How much risk does the AI system pose to...?

Fundamental rights

Your health	Right to health	Art. 1(1) AI Act
Your safety	Right to safety	Art. 1(1) AI Act
The protection of your personal data	Right to data protection	Art. 7 and 8(1) EU Charter
Your equal treatment under the law regardless of your gender, race, nationality, or other personal characteristics	Right to equality and non-discrimination	Art. 20 and 21 EU Charter / Art. 2 TEU
Your freedom to express ideas and receive information without interference	Right to freedom of expression	Art. 11 EU Charter
Your access to a fair trial	Right to a fair trial	Art. 47 EU Charter
Your freedom to seek employment	Right to engage in work	Art. 15 EU Charter
Your access to working conditions that respect your health, safety, and dignity	Right to fair and just working conditions	Art. 31 EU Charter
The protection of your intellectual property	Right to intellectual property	Art. 17(2) EU Charter
Your freedom to act without undue physical restraint or coercion	Right to liberty	Art. 6 EU Charter

Protected values

The protection of the electoral system in a democratic State	Democracy	Art. 2 TEU / Art. 1(1) AI Act
The guarantee that governments can only act within the limits set by the law	Rule of law	Art. 2 TEU / Art. 1(1) AI Act
The environment	Environment	Art. 37 EU Charter / Art. 1(1) AI Act

7-point scale

0 = No risk at all, 3 = Moderate risk, 6 = Extreme risk

Opinions about regulation and prohibition

Our study

“The AI system should be banned”

“The AI system should be regulated in some way”

“The AI system should not be regulated”

Opinions about regulation and prohibition

Our study

AI Act

“The AI system should be banned”

**Prohibition
if AI poses unacceptable risks**

“The AI system should be regulated in some way”

**Mandatory requirements
if AI poses high risks**

“The AI system should not be regulated”

**No mandatory requirements
if AI poses minimal risks**

Participants



(N = 330)



(N = 348)



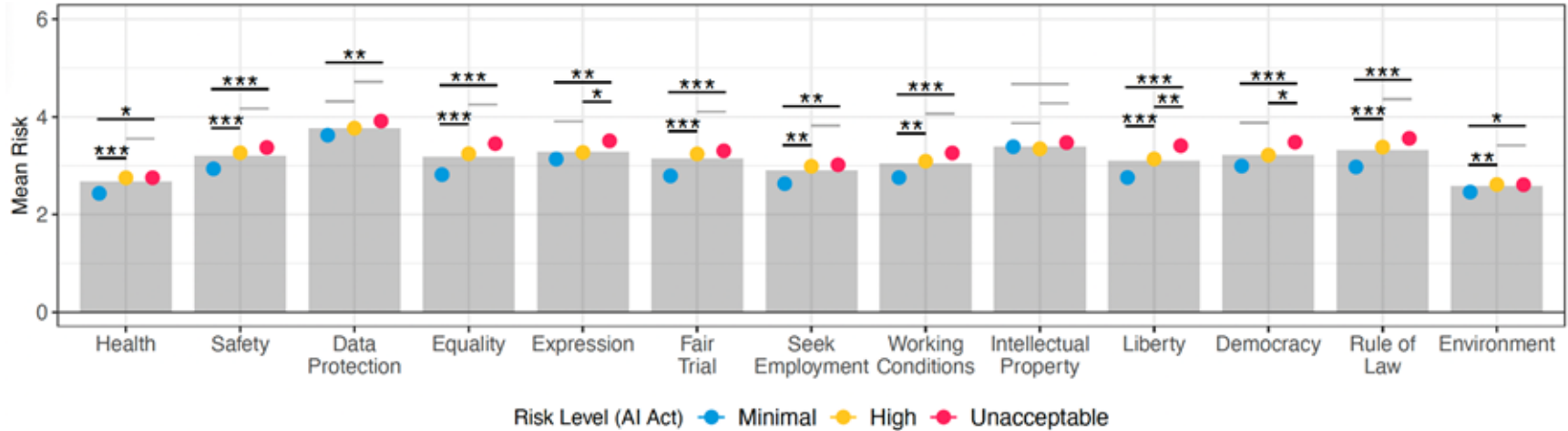
(N = 386)



(N = 349)

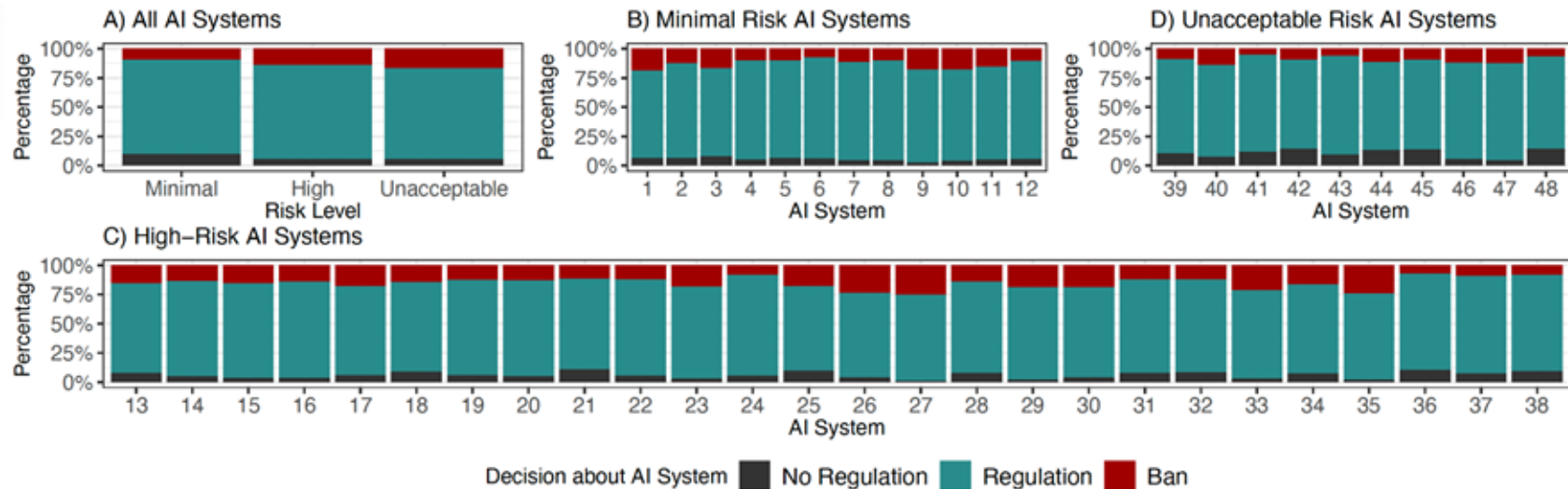


Perceived risk vs. AI Act risk level



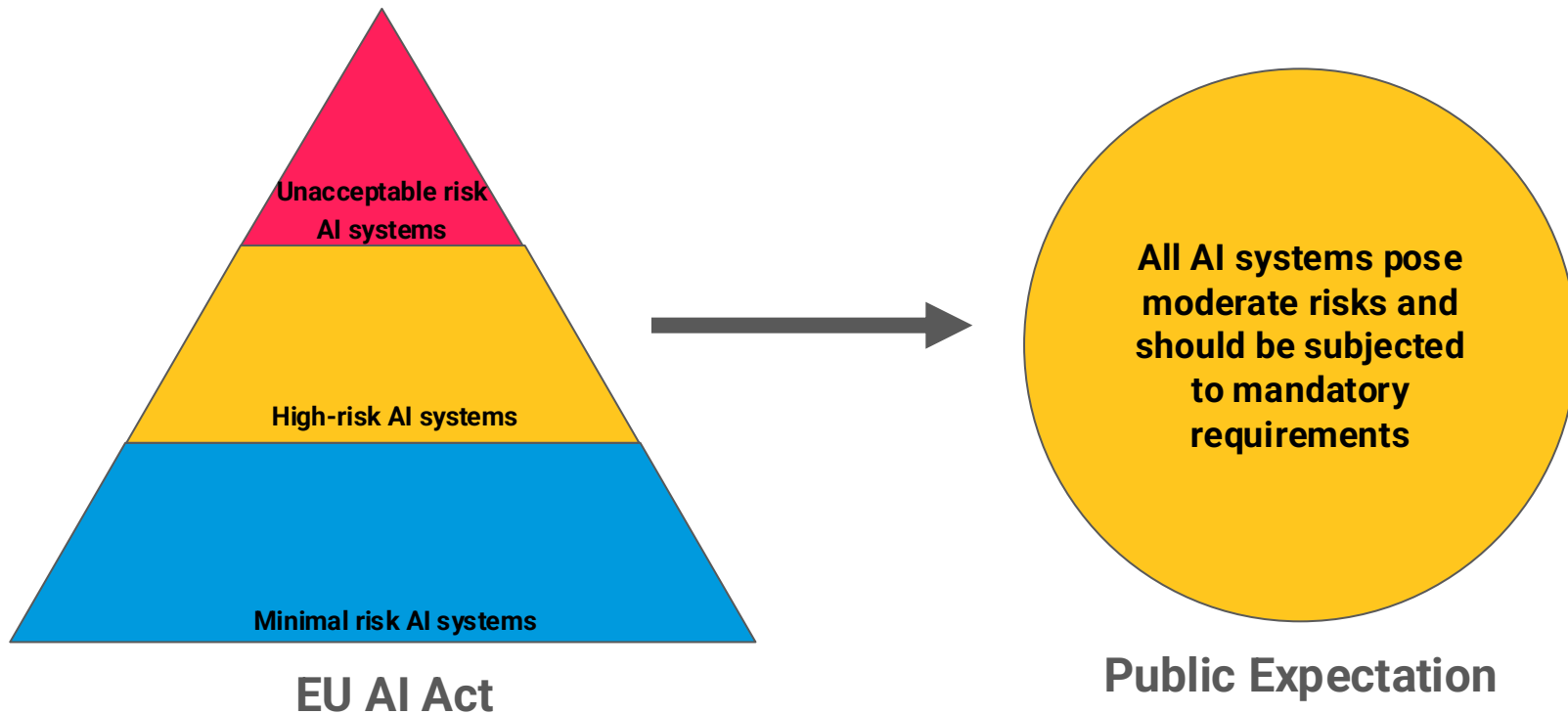
People did not clearly differentiate AI systems in line with the AI Act's risk levels

Views towards AI regulation and prohibition



People indicated that all AI systems—no matter their risk level under the AI Act—should be regulated without outright prohibitions

People's opinions are misaligned with the AI Act



But do all AI systems really pose a similar level of risk?

- People acknowledge that AI can pose risks, but may not differentiate between the varying levels of risk posed by distinct AI systems
 - Estimating risk is difficult, which is also a critique of the AI Act

⇒ **AI literacy interventions**

- *the capacity to become aware about the potential risks and harms associated with AI* (Art. 3(56))

⇒ **Development of AI that promotes accurate risk perceptions**

Tiered approach vs. minimal standards for all AI systems

- People showed support for AI regulation, but not outright prohibitions
 - Support for regulation was also correlated with risk
- ⇒ **Horizontal regulation setting minimal standards for all AI systems**
 - The AI Act does not prescribe any protection for minimal risk AI



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Public Perspectives on Risk and Regulation of AI Systems

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- **Citizens from Germany, Spain, France, and the US believe all AI systems pose moderate levels of risk and should be regulated—albeit without outright prohibitions**
- **Our findings challenge the AI Act’s tiered approach, showing that people might instead support regulation requiring minimal standards for AI systems**

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