A feminist vision for the EU AI Act

Six action points towards a feminist informed
EU AI Act to integrate feminist principles into the EU AI Act, ensuring that AI development is gender-responsive, equitable, and just.

As society navigates this transformative technological landscape, it becomes increasingly evident that the application of a feminist lens is imperative to ensure that the advancements in AI align with principles of equality, justice, and inclusivity.

The EU AI Act, with its multiple dimensions, provides fertile ground for a feminist analysis that aims to expose gender biases, make marginalized, underrepresented, and underprivileged people (MUUP) more heard and promote a technologically empowered world for all. Therefore, we ask the EU Parliament and EU

Council to consider the following action points:

1. Classification of General Purpose AI and a Holistic AI Literacy

- **General Purpose AI needs to be scored as high risk AI** due to unpredictable and uncontrollable outcomes which may result in human rights violations, amplification of biases and discrimination, complex interactions as well as scalability and societal impact. This risk is significantly higher for MUUP.

- **The current holistic view of AI literacy should be maintained and structurally funded by the EU.** The Parliament's emphasis on AI literacy from societal, provider, and employer perspectives aligns well with feminist aims concerning intersectionality and inclusion, and must thus be kept up in the future EU AI Act. However, **the specific role of the EU must be clarified and sustained with financial impact.**

2. Identifying Prohibited Areas of Application

- **Facial recognition software in public spaces must be banned!** The risk of intersectional discrimination, in particular for Women and gender-diverse People of Colour is unacceptable.

- **The need to understand and measure harm holistically.** The ongoing standardization of risk assessment must be vigilantly observed to address systemic biases that amplify harm for MUUP. A feminist viewpoint underscores the importance of examining harm within broader social, cultural, and historical contexts, thereby striving for a more equitable and just AI landscape.

3. No Loopholes for High-Risk AI

- **Identify, and pre-empt, possible loopholes for high-risk AI.** The inclusion of 'accessory' AI systems - a concept that remains ambiguously defined - introduces a loophole in the high-risk AI definition, potentially permitting systems that might contribute to significant harm to evade scrutiny under this classification. For instance, providers would be able to de-risk AI systems by themselves which leads to less rules to follow. The risk-based approach gets severely compromised.

4. Inclusive Data Sets setting high standards while lacking practicability

- **Parliament's stance on training data sets is noteworthy.** In addition to validity and relevance in the current draft, they emphasize the need for data to be "sufficiently representative, appropriately vetted for errors, and as complete as possible in view of intended purposes." **But how? The question of who is responsible remains mostly unanswered with special regard to general-purpose AI.**

- This nuanced approach not only acknowledges the practical complexities of data collection but also introduces the **potential for positive discrimination, and the need for participation and co-creation** — an intriguing prospect from a feminist perspective.

5. Ensuring transparency and accountability through the AI Office

- **Standardization of AI is critical.** The transition of power from private standardization organizations to a public institution, embodied by the AI Office, is an aspect of this evolution that particularly captures attention. From a feminist perspective, this shift signifies a noteworthy stride towards increased transparency and accountability.

- In contrast to exclusive policy processes, this approach shall align with feminist ideals, promoting a more inclusive and participatory approach to shaping AI regulations **which requires funding of grass roots activists and non-governmental organizations by member states.**

6. Rejecting Voluntary Aspects: A Feminist Critique

- **Environmental Sustainability:** Environmental concerns intersect deeply with feminist ideals, as both movements advocate for a world that prioritizes well-being and justice for all. Treating environmental sustainability as voluntary undermines the urgent need for AI systems to align with eco-conscious values, particularly considering their far-reaching implications on MUUP.

- **Stakeholder Participation:** Feminist perspectives emphasize inclusivity and participation. By relegating stakeholder engagement to voluntary status, the EU AI Act risks sidelining MUUP perspectives. This erodes the principle of democratic decision-making and perpetuates existing power imbalances. Because of the need to decolonize AI, **Global South inclusion is unnegotiable.**

- **Accessibility for Persons with Disabilities:** Central to feminist values is the dismantling of barriers that hinder full participation. Treating accessibility as a voluntary aspect, ignores the specific requirements and valuable contributions of people with disabilities.

- **Diversity in Development Teams:** Feminism is a catalyst for innovation and fairness. Allowing diversity in development teams to remain voluntary fails to acknowledge the need for a deliberate and structured approach to fostering gender and intersectional diversity.

From a feminist perspective, the inclusion of certain aspects as voluntary measures within the EU AI Act raises significant concerns.

While the Act proposes comprehensive guidelines for responsible AI development, the designation of certain dimensions as voluntary – particularly within Chapter 2, Article 69 – is unacceptable.

This approach, while acknowledging key considerations, falls short of ensuring the robust and gender-equitable implementation that feminist principles demand.

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Our call for action: Dominant power structures can be seen in most of the political processes on the EU AI Act.

Therefore, we call for the direct inclusion of diverse voices to bring MUUP into focus, as they are still overlooked while the lobbying power of tech giants can be observed.

The Council's and the Parliament's reluctance to significantly amend voluntary aspects - particularly within Chapter 2, Article 69 - is disappointing.

While the Act is a notable step forward, the omission of these critical dimensions from mandatory provisions contradicts the spirit of equity and social justice that feminism upholds.

Therefore, we demand mandatory requirements and concrete objectives concerning the feminist principles laid out above.

These will support AI-developing actors to implement the EU AI Act effectively and, thereby, tangibly contribute to a more equitable and just AI in Europe.

The instituational supporters
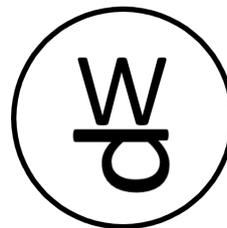
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