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## **COMMUNICATION TO THE COMMISSION**

**Approval of the content of the draft Communication from the Commission -  
Commission Guidelines on prohibited artificial intelligence practices established by  
Regulation (EU) 2024/1689 (AI Act)**

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Regulation (EU) 2024/1689 of the European Parliament and the Council of 13 June 2024 laying down harmonised rules on artificial intelligence and amending certain regulations ('the AI Act')<sup>1</sup> entered into force on 1 August 2024. The AI Act lays down harmonised rules for the placing on the market, putting into service, and use of artificial intelligence ('AI') in the Union. Its aim is to promote innovation in and the uptake of AI, while ensuring a high level of protection of health, safety and fundamental rights in the Union, including democracy and the rule of law.

The AI Act follows a risk-based approach, classifying AI systems into different risk categories, one of which consists of AI practices posing unacceptable risks to fundamental rights and Union values which are prohibited under Article 5 AI Act.

Pursuant to Article 96(1)(b) AI Act, the Commission is to adopt guidelines on the practical implementation of the practices prohibited under Article 5 AI Act. The Draft Guidelines annexed to this Communication aim to increase legal clarity and to provide insights into the Commission's interpretation of the prohibitions in Article 5 AI Act with a view to ensuring their consistent, effective and uniform application.

Such clarity is essential for providers and deployers of AI systems, since the prohibitions are directly applicable as from 2 February 2025. In view of this imminent entry into application and the time necessary for the translation of the guidelines into all languages, the Commission is called upon to approve the content of draft Communication from the Commission on Guidelines on prohibited artificial intelligence practices established by Regulation (EU) 2024/1689.

The Guidelines will be formally adopted by the Commission at a later date, when all language versions are available. It is only from that moment that these Guidelines will be applicable.

The text of the draft Guidelines is enclosed as an Annex to this Communication.

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<sup>1</sup> Regulation (EU) 2024/1689 of the European Parliament and of the Council of 13 June 2024 laying down harmonised rules on artificial intelligence (Artificial Intelligence Act) (OJ L, 2024/1689, 12.7.2024).