

EU AI ACT · DRAFT GUIDELINES · 19 MAY 2026

High-risk AI in justice and democratic processes

For legal organisations, courts, public bodies, civic-tech vendors and teams supporting democratic processes.

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- Annex III point 8
 - Practical high-risk classification
 - Commercial readiness briefing for governance teams



CLASSIFICATION LOGIC

3 questions decide the route

Use this as a starting point for AI inventory, gap intake and roadmap.

01

Intended purpose

What output does the system produce, in which context and with what effect on people or operations?

02

High-risk route

Does the use case fall under Annex III point 8, or should Article 5 or Annex I be checked first?

03

Readiness roadmap

Translate the classification into obligations, evidence, training and supplier actions.

Intake question: Does the AI support a legal or democratic decision, or only organise information?

What falls in scope?

This domain version helps turn a first AI Act gap check into concrete review questions.

AI becomes high-risk when it assists legal interpretation, application of law, judicial decision-making or democratic process influence.

- Assisting judicial authorities in researching and interpreting facts or law.
- Applying the law to concrete facts in judicial or legal contexts.
- Influencing the outcome of elections or voting behaviour.
- Support for democratic processes where individual or public outcomes may be affected.

When does this become a readiness question?

You do not need a final legal conclusion before starting governance work.

Review first

- Legal decision support used in court or administrative justice.
- AI that applies law to facts in a case file.
- Election influence, voter targeting or political behavioural steering.
- Civic decision support that can affect democratic participation.

Define first

- Generic legal search where a professional remains fully responsible.
- Document drafting without decision support or legal conclusion.
- Public information tools with no targeting or behavioural steering.
- Summaries that are not used to decide rights or obligations.

USE CASES

3 situations for the intake

These examples help identify the right stakeholders, documents and evidence path.

01

Legal reasoning

AI suggests how a rule applies to facts in a case.

02

Case support

AI ranks files, arguments or evidence for legal review.

03

Democracy

AI targets or steers voters in ways that may affect behaviour.

Use this as a scoping aid, not as a final legal conclusion.

What a readiness track should produce

Classification should end in actions, ownership and reviewable documents.

Core deliverables

- AI inventory and risk classification
- Provider/deployer role split
- Gap analysis on obligations and evidence
- 30/60/90-day roadmap
- Management summary and next routes

Domain focus

- Role of AI in legal reasoning and human responsibility.
- Traceability of sources, prompts, outputs and review steps.
- Safeguards against automation bias and hallucinated citations.
- Controls for political targeting, manipulation and transparency.

SOURCE STATUS

Based on the Commission draft guidelines

Use this as an intake and classification framework. Check final guidance before legal decisions are completed.

Status on 8 June 2026

- The Commission published the draft guidelines on 19 May 2026.
- Annex III contains 8 areas. This briefing works out 1 area practically.
- The formal AI Act text remains leading.

Commission draft guidelines

Annex III official text

Article 6

Gap intake

For decisions with legal consequences, a full system and context review remains necessary.



NEXT STEP

Classify your justice and democracy AI before the roadmap gets stuck.

Embed AI helps turn a loose AI list into a defensible classification, gap analysis and concrete 30/60/90-day roadmap.

Start gap intake

View Readiness Sprint

Book a call



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