

EU AI ACT · DRAFT GUIDELINES · 19 MAY 2026

High-risk AI in migration and border control

For public authorities, border operations, migration services and suppliers supporting asylum or border processes.

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- Annex III point 7
 - 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 7, 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: Could the AI influence a person's migration, asylum or border-control outcome?

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 supports decisions or assessments about migration, asylum, border control or the credibility and risk profile of people.

- Risk assessment of persons entering or intending to enter a Member State.
- Assessment of applications for asylum, visa or residence permits.
- Detection or verification of documents and supporting evidence.
- Support for border control, migration and asylum procedures.

When does this become a readiness question?

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

Review first

- Credibility assessment or risk scoring in asylum processes.
- Visa or residence permit prioritisation or refusal support.
- Document fraud detection linked to individual case outcomes.
- Border risk profiling or secondary inspection selection.

Define first

- Appointment scheduling without case priority or risk score.
- General information chatbot for procedure guidance.
- Translation support without decision weighting.
- Aggregate capacity planning without individual impact.

USE CASES

3 situations for the intake

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

01

Asylum

AI supports assessment of application credibility or risk.

02

Visa

AI prioritises applications or advises on eligibility.

03

Border

AI selects people or documents for additional review.

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

- Legal mandate and human decision responsibility.
- Transparency, explanation and appeal information.
- Bias controls across nationality, language and migration patterns.
- Data provenance, error rates and audit trail per case.

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 migration and border control 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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