

Using FaceReader responsibly under the EU AI Act

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FaceReader and the EU AI Act

When using FaceReader for facial expression analysis, it is important to do so responsibly, transparently, and in line with current regulations. This document explains what the EU AI Act means in practice, and how FaceReader fits within it.

Our goal is simple: to help researchers and trainers use FaceReader in a way that is ethical, compliant, and respectful of the people taking part in a study or training activity.

What is FaceReader used for?

FaceReader is an AI-based tool that analyzes facial expressions, helping researchers understand observable behavior and emotional responses. It is widely used in scientific research, applied research, and training contexts. FaceReader is designed to support research and analysis, not to make decisions about individuals.

How does the EU AI Act apply to FaceReader?

The EU AI Act introduces rules for how AI systems are made available and used in the EU, especially in sensitive contexts such as the workplace or education. One of its key goals is to protect people from unfair or intrusive uses of AI, while still supporting innovation and scientific research.

Emotion recognition in sensitive contexts

Article 5(1)(f) of the AI Act restricts the use of emotion recognition systems in certain environments, except where the use is intended for medical or safety reasons, such as:

- Workplaces - situations where people are employed and may feel pressure to participate because their job, performance, or career could be affected.
- Educational institutions - settings like schools or universities where students depend on teachers or institutions for grades, evaluation, or certification.

These restrictions exist because of potential power imbalances, for example between employers and employees or teachers and students. But research labs are not the same as classrooms.

A research lab within a university is not considered the same as a standard educational setting under the AI Act. The regulation and its guidelines focus on regular classroom use, where emotion recognition could be used to continuously monitor or evaluate students.

Research labs are different: studies are typically one-off, participation is voluntary, and results do not affect grades, assessment, or certification. Because of this, the AI Act does not treat research use in labs as a prohibited educational context.

Why FaceReader is allowed for research use

When FaceReader is used for scientific research, the context is different from workplace or educational monitoring.

Scientific research is explicitly protected

The AI Act is not meant to stand in the way of science and innovation. It leaves room for systems used solely for scientific research, and for testing and development before a system is introduced to the market. For FaceReader users, this means that research use remains possible, provided participants take part voluntarily, are properly informed, and results are not used to evaluate or decide about them.

FaceReader's End-User License Agreement reflects this orientation: it states that the software is "intended for research or training purposes only" and requires prior informed consent before collecting biometric data from human subjects. In line with these safeguards, FaceReader should be used for research and training activities, not to make decisions about individual participants.

What this means in practice

When FaceReader is used responsibly, with clear participant information, informed consent, and careful handling of personal data, its use is in line with the relevant requirements of the AI Act and GDPR.

1. Be transparent with participants

Participants should be clearly informed that their facial expressions are being recorded and analyzed using AI-based methods. They should also be told why the data is collected, how it will be processed, and who will have access to it. This supports the AI Act's transparency requirements and is closely aligned with GDPR obligations.

2. Obtain informed consent

Before any data is collected, participants should understand the purpose of the study, know what data is collected, and provide informed consent. FaceReader cannot be used for biometric data collection without prior consent. This is built into the software's Responsible Use Policy and End-User License Agreement.

3. Avoid power imbalance

Participation should be genuinely voluntary. In practice, this means that participants should not depend on the researcher or trainer for grades, evaluation or supervision, and that results should have no academic or professional consequences. Where there is a risk of imbalance, additional safeguards should be applied, such as anonymization, independent recruitment, and a strict separation between research and teaching or supervision.

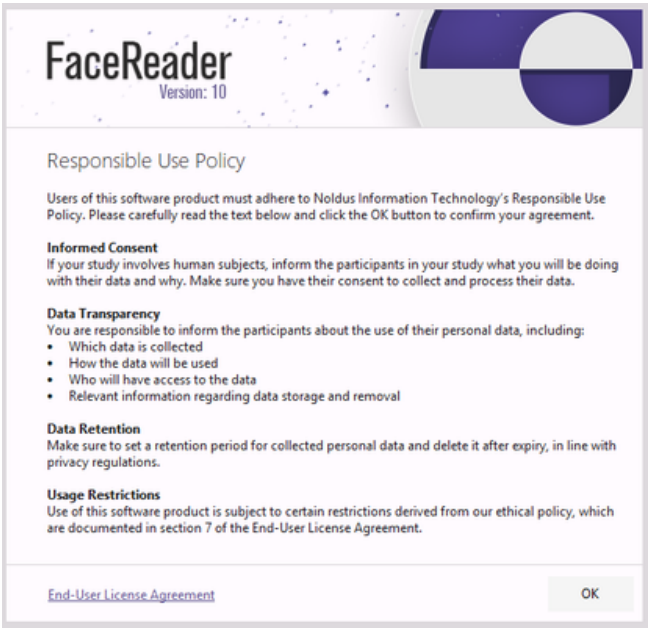
4. Handle video data responsibly

The AI Act does not prescribe how long video recordings must be stored. Instead, GDPR rules apply. Video data should be stored securely, retention periods should be defined, and storage and deletion should be explained clearly in consent materials. FaceReader stores video and data locally on the computer, so users remain responsible for applying appropriate security measures.

Built-in safeguards in FaceReader

FaceReader actively supports responsible use. Every user must accept a Responsible Use statement when starting the software. This statement reminds users of four core responsibilities:

- **Informed consent**: Participants must be informed about what will be done with their data and why.
- **Data transparency**: Users must explain which data is collected, how it will be used, who will have access to it, and how storage and deletion are handled.
- **Data retention**: Users must define a retention period and delete personal data after that period, in line with privacy regulations.
- **Usage restrictions**: FaceReader must be used in accordance with the End-User License Agreement, including restrictions on uses that may potentially violate fundamental human rights.



In short: FaceReader can be used with confidence

When FaceReader is used for research or training purposes, responsible use means:

- Informing participants clearly
- Obtaining informed consent
- Avoiding power imbalance
- Following GDPR data protection rules

With these safeguards in place, FaceReader can be used in line with ethical standards and the EU AI Act. FaceReader is designed to support insight and understanding, while respecting people's rights, dignity, and autonomy.

Stay informed, stay compliant

Want to dive deeper into the AI Act? Stay ahead of changes by reviewing the latest European Commission guidelines.

Guidelines →

Complete AI Act →

Have questions about how this affects you? We're here to help.

Contact us →

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