



Brussels, 14-07-2022

Written question to the European Commission

Subject: PimEyes: fundamental rights implications of private use of facial recognition technology and biometric databases

Face search system PimEyes deploys biometric recognition technology on a database including more than 900 million pictures from across the internet, social media profiles and even pornographic websites. This database is in hands of a private party and access to or use of this system is free for all.

Apart from obvious data protection concerns and ethical questions, for example around employers being able to look up compromising photos of possible future employees, these tools can be used for gender-based cyber violence, such as the stalking of women, exposing of trans people, search for non-consensual images ('revenge porn') of specific individuals or identification of sex workers.

1. What is the Commission's legal assessment of the collection of biometric data, building of private databases of people's images and private use of biometric recognition systems, especially in the light of the GDPR?
2. What does the collection or purchase of this data mean for the right to one's own image and personality rights?
3. The AI Act proposal currently only contains a prohibition on the use of "the use of 'real-time' remote biometric identification systems in publicly accessible spaces for the purpose of law enforcement" under Article 5. Does the Commission see potential unacceptable risks for fundamental rights regarding the use of biometric recognition software by private parties in light of the above expressed concerns?

Undersigned Members of the European Parliament,

Greens/EFA: Kim van Sparrentak, Sergey Lagodinsky, Alexandra Geese

EPP: Maria Walsh, Sirpa Pietikainen, Frances Fitzgerald

S&D: Brando Benifei, Petar Vitanov, Birgit Sippel

Renew: Dragos Tudorache, Svenja Hahn, Karen Melchior

The Left: Katerina Konecna, Fernando Barrena, Cornelia Ernst