EU AI Act compliance evidence: why a passing metric may not prove conformity

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Short answer: EU AI Act compliance evidence is the technical and organisational proof that a high-risk system meets its obligations, and a study by Helma Torkamaan and colleagues, posted on arXiv on 13 November 2026, examined how practitioners turn those obligations into measurable requirements. It found that sound-looking arrangements can fail when metrics, human oversight or operating conditions do not match real use. It matters for lawyers advising on what evidence will stand up over time.

TL;DR The short version

- A study posted on 13 November 2026 examined how practitioners turn EU AI Act obligations for high-risk systems into measurable requirements.
- Arrangements that look sound can fail when metrics, human oversight or operating conditions do not match real use.
- A passing metric may not prove conformity, so tie evidence to real operating conditions and review it over time; this is not legal advice.

Read online, listen to it, or change the text size: https://blogs.iictp.org/eu-ai-act-compliance-evidence-high-risk-study

What is the evidence problem?

The AI Act states requirements for high-risk systems, but someone still has to choose what to measure, which thresholds apply and what record supports a claim. Those choices depend on the setting in which the system is used.

How the study worked

The authors ran a participatory workshop with 32 researchers, policymakers and practitioners from several disciplines. Groups worked through realistic but hypothetical high-risk scenarios in healthcare, recruitment and public transport. The authors then analysed the discussion by theme.

What is new compared with checklist guidance

A checklist treats requirements one by one. The study reports that technical, organisational and evidence problems depend on each other, so passing one item can hide failure in another.

Findings reported by the authors

- Fairness metrics could conceal discrimination in recruitment.
- Time pressure and limited information could undermine human oversight in public transport.
- Changes in patient populations could invalidate earlier evidence about performance.
- Organisational responsibility can exceed what the named people are able to do.
- The authors call for domain-specific, interdisciplinary working groups to develop reusable methods that link legal duties to evidence.

This is an arXiv preprint or workshop paper. Treat its numbers as the authors' own results, not as independently confirmed findings.

Limitations and open questions

- A single workshop with 32 participants gives qualitative insight, not measured prevalence.
- The scenarios were hypothetical.
- The study is not official guidance and does not interpret the Act with legal authority.
- Application dates and guidance under the Act should be checked separately.

Sources were read on 27 November 2026. Products, rules and data change, so check the linked originals before you rely on any detail.

How to apply it to a compliance file

1. For each obligation, write the claim, the measure, the threshold and why that measure fits the use.
2. Test whether the metric could pass while the harm still occurs.
3. Describe what the human overseer sees, how long they have and what authority they hold.
4. Match each responsibility to a person with the information and power to carry it out.
5. List changes that void earlier evidence, such as new populations or new uses.
6. Set review triggers and keep dated records.

What it means for lawyers and compliance teams

Contracts between providers and deployers should say who monitors changed conditions and who must be told. Advice that rests on a one-time test report is weak if the setting moves. Link this to the fundamental rights impact assessment template and to recruitment conformity questions.

Frequently asked questions

- **What is EU AI Act compliance evidence?** Documentation and test results that support a claim that a system meets its obligations.
- **Why might a good metric be insufficient?** It may not capture the harm or the context, as in the recruitment fairness example.
- **Is this official guidance?** No. It is a research preprint.

- **How often should evidence be reviewed?** The study stresses that changed conditions can invalidate it, so define triggers.

Related reading

- FRIA template under Article 27
- AI Act conformity in recruitment
- Article 5 prohibited practices
- AI Practitioner certification

Related credential: AI Practitioner. Explore the exam facts and syllabus.

Sources and further reading

1. Torkamaan, Mansoury, Xin, Oviedo Trespalacios, Savella, Zwitter, Heuss, Nguyen and colleagues. Between Obligations and Evidence: A Participatory Study of Translating the EU AI Act into Technical Requirements. arXiv 2611.18439. 13 November 2026 (preprint). arxiv.org/abs/2611.18439

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