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#IAPPCongress26

AI GLASSES:

THE NEW BLIND SPOT

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Welcome & introductions



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Agenda



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Why we are here …



AI glasses are no longer theoretical.

They are:

01 Affordable

02 Consumer-grade

03 AI-enabled

04 **Already entering workplaces**

Today's session is not about technology hype.
It is about what happens when governance meets reality.

The Case – Part I

The Escalation



An employee arrives wearing Meta Ray-Ban AI glasses and demos the device:

DEVICE CAPABILITIES

- Photos/video
- Audio recording
- Voice commands
- Companion app / AI assistant

THE CONCERN

Colleagues worry about covert recording and confidential meetings

Now the escalation is:

1. Employee
2. HR
3. Infosec
4. Draft Ban
5. Law firm
6. Back to HR

The Case – Part II

Governance Fracture



1. **HR refuses to implement the ban.**

2. The employee provides medical documentation stating that:
   The AI glasses are prescribed as an assistive device.

3. The matter is escalated to **the Chief Privacy Officer.**

The quiet room

The Chief Privacy Officer takes a moment



UNDERSTAND THE DEVICE

What Do AI Glasses Actually Do?



AI glasses may include:

Camera &/ microphones
(hands-free capture)

Voice assistant
(commands, Q&A)

Image/text recognition
text-to-speech

Cloud sync
via companion app

wearable recording and AI inference endpoint

This is not just eyewear. | It is a wearable AI-enabled recording system.

MEDICAL NECESSITY

For What Conditions Could They Be Prescribed?

Necessity is a functional question, not a product label.



Possible use cases:

Visual impairment
(object/scene reading)

Cognitive support
(prompts/navigation)

KEY QUESTION

Is the AI function necessary for equal participation, or would other aids suffice?

KEY QUESTION

Are prescription lenses alone sufficient?

Or is the AI functionality necessary for participation?

EMPLOYMENT LAW

From blanket rules to individual assessment



01

FUNCTION, NOT DIAGNOSIS

Medical info rules vary. Often the focus is functional limitation, not diagnosis.

02

CASE-BY-CASE

Non-discrimination. Blanket bans may be discriminatory, accommodation is case-by-case

03

PROPORTIONALITY

Restrictions can be proportionate: least intrusive option; undue hardship limits

PRIVACY LAYER

Personal Data Exposure



AI GLASSES MAY PROCESS

- Video of colleagues
- Audio recordings
- Biometric identifiers
- Special category data
- Contextual information

KEY ISSUES

- Lawful basis
- Transparency
- Controller roles
- Workplace power imbalance

INFOSEC

Operational Risk



Security exposure follows the data path.

1. Capture of confidential meetings and trade secrets
2. Consumer cloud sync and cross-border transfers
3. Outside corporate MDM and monitoring controls
4. **Security risk**

Medical legitimacy does not eliminate security exposure.

CRIMINAL LAW

Covert recording: jurisdiction, consent and public places

01 EU: NATIONAL RULES

Bulgaria: informed, no express objection (legal exceptions).
France: consent for private speech and private-place images.
Germany: consent for non-public speech.
Greece: express consent for private conversations.

02 IRELAND: PUBLIC IMAGES

Public photography is generally allowed absent harassment (DPC). Public posting or business use can trigger GDPR duties. Check audio separately.

03 SWITZERLAND & ISRAEL

Switzerland: all-party consent for private conversations.

Israel: generally one-party consent. Exceptions apply.

04 UK: FILMING IN PUBLIC

Public filming generally needs no permit. Interception of others' communications is a separate issue. Privacy and harassment rules still apply.

05 USA: CONSENT RULES VARY

Federal law generally allows one-party consent. California requires all parties' consent for confidential conversations. Exceptions and stricter state rules apply.



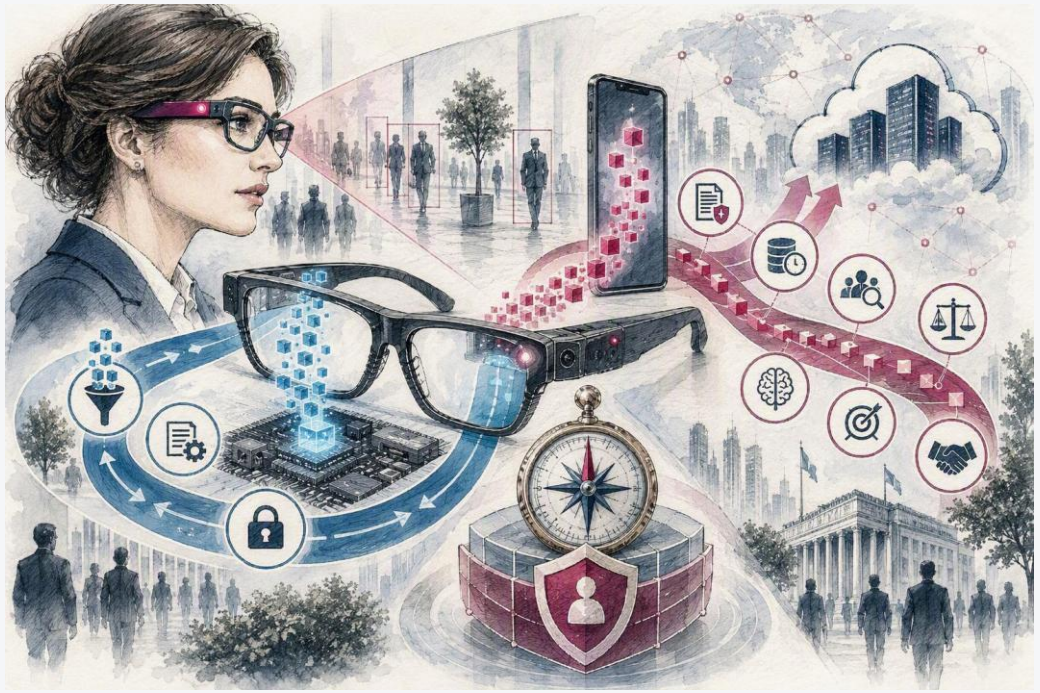
Public location does not remove protection for private speech.

NO SINGLE EU-WIDE CONSENT RULE Consent can matter more than awareness. Audio and video need separate checks.

Illustrative comparison, exceptions apply. GDPR, privacy and publication rules also apply. Sources and scope in notes.

AI GOVERNANCE

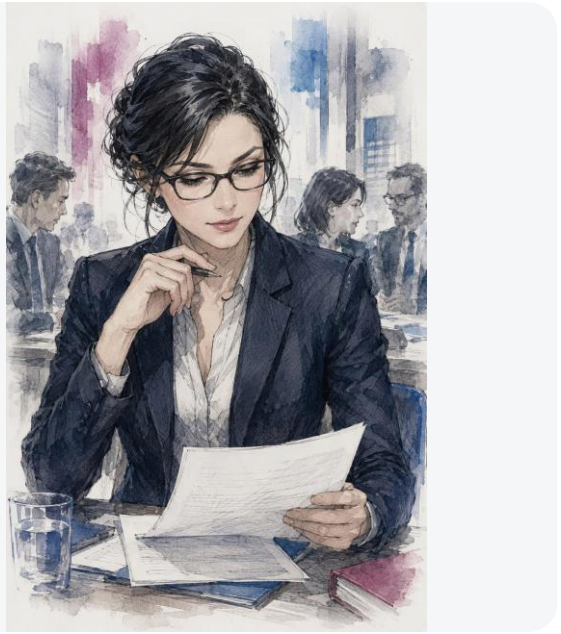
What Kind of AI Is This?



1. **Provider/model: on-device vs cloud?**
2. What data is sent where?
3. Data minimisation, retention, logging, and vendor terms
4. Unintended inferences (profiling), bias, and accuracy
5. **EU AI Act classification and obligations (if applicable)**

THE PRIVACY SUPERVISORY AUTHORITIES

Privacy authorities addressing smart glasses



2021 scrutiny concerned camera glasses. The 2026 examples address today's smart and AI glasses.

01 **Garante** ITALY — 10 September 2021
Requested information through the Irish DPC on Ray-Ban Stories' legal basis and safeguards for bystanders.

02 **DPC** IRELAND — 17 September 2021
Asked Facebook to demonstrate effective recording notice and run a public information campaign.

03 **FDPIC / EDÖB** SWITZERLAND — 25 March 2026
Smart-glasses guidance warns that risks depend on use and can affect wearers and third parties.

04 **CNIL** FRANCE — 11 May 2026
Warned about smart-glasses privacy risks and launched a dedicated action plan.

05 **HmbBfDI** GERMANY · HAMBURG — 10 September 2026
Published a technical and legal review of Ray-Ban Meta AI Glasses, including users' duties towards third parties.

06 **ODPA / JOIC / IOM IC** GUERNSEY, JERSEY & ISLE OF MAN — 16 September 2026
Joint advisory warns about discreet recording and cloud processing, including risks in workplaces.

Selected official publications. Inquiries, warnings and reviews do not imply a blanket approval or ban.

THE CONNECTED GAZE

Smart-glasses research under the Support Pool of Experts programme



Published 1 October 2026

EXTERNAL SPE REPORT

Not produced by the EDPB.
Authors' views do not necessarily reflect its official position.

01 BENEFITS AND ACTUAL USE
Hands-free recording and visual assistance offer benefits. Everyday uses also extend to observing others.

02 CONTEXT SHAPES ACCEPTABILITY
Workplaces and private life raise confidentiality and trust concerns. Acceptance depends on purpose and setting.

03 RECORDING AS EVIDENCE
Users and non-users envisage recording to protect themselves in disputes, encouraging preventive capture.

04 NOTICE AND CONSENT
Interviewees question LED visibility and bypassability. Lack of objection can be mistaken for consent.

05 DIGITAL SKILLS AND POWER
Unequal ability to recognise recording or understand data use widens the gap between observer and observed.

Qualitative study: 22 interviews (7 users, 15 non-users), March–August 2026. Exploratory findings, not population estimates.

BEYOND PRIVACY

Device regulation, workplace safety and disability rights



FRA and EDF: broader AI and rights work. No smart-glasses-specific position verified.

01 **Bundesnetzagentur** GERMANY · TELECOMS REGULATOR — 29 November 2024
Smart-glasses warning: people must clearly recognise recording. Covert-recording devices can fall under prohibitions.

02 **EEOC** US · EMPLOYMENT REGULATOR — 19 December 2024
Workplace-wearables guidance addresses discrimination and medical-data collection. Focus: employer use of wearables.

03 **BAuA / DGUV** GERMANY · SAFETY BODIES — Research and prevention guidance
Smart-glasses work covers ergonomics, employee strain and safe industrial use. Research and prevention, not a product ruling.

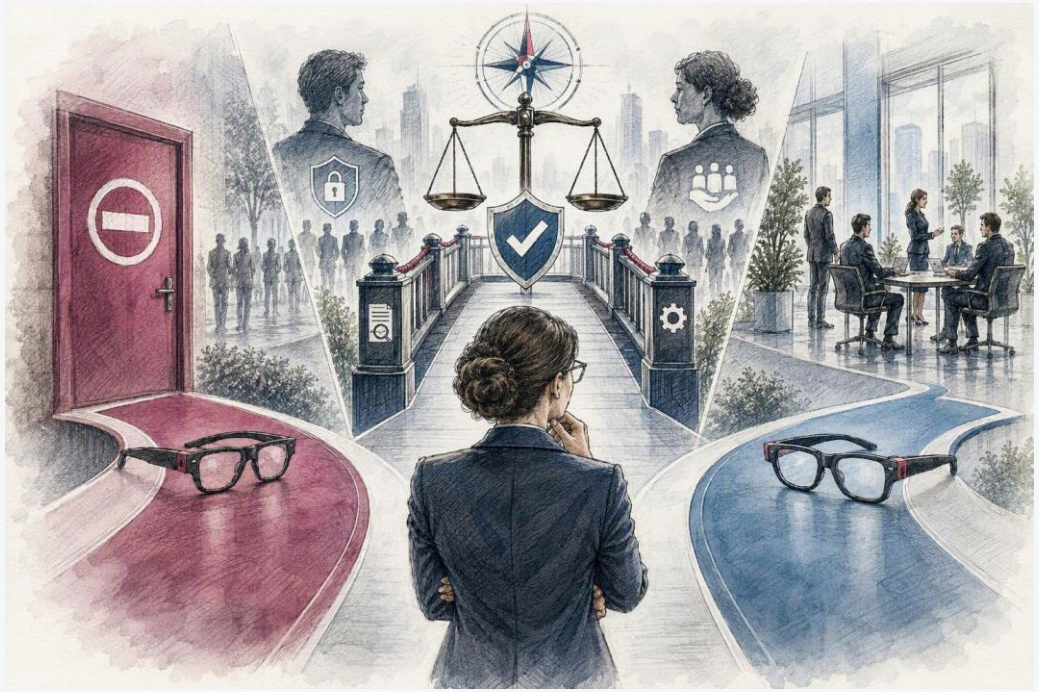
04 **FRA** EU · FUNDAMENTAL RIGHTS AGENCY — 4 December 2025
AI report examines fundamental-rights risks, including in employment. Provides evidence and advice, not product approval.

05 **European Disability Forum** EUROPE · DISABILITY-RIGHTS NGO — 27 October 2025
AI Act toolkit supports accessibility, inclusion and disability-rights advocacy. Represents disabled people, not a regulator.

The bodies have different mandates. Their publications do not resolve this individual workplace case.

THE BALANCING DECISION

Strategic Options



1 OPTIONS

01 Ban

02 Allow

03 Conditional framework

2 PROPORTIONALITY

Suitable, necessary,
least intrusive, balanced

3 ROLES

Reconcile competing rights
and set a workable governance model

THANK YOU!

Q&A



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RESOURCE LIST

PRIVACY AUTHORITIES

Garante · 10 Sep 2021
Ray-Ban Stories: information request

DPC · 17 Sep 2021
Facebook View glasses statement

FDPIC / EDÖB · 25 Mar 2026
Wearables and smart glasses

CNIL · 11 May 2026
Lunettes connectées: appel à la vigilance

HmbBfDI · 10 Sep 2026
Ray-Ban Meta: technical and legal review

ODPA / JOIC / IOM IC · 16 Sep 2026
Joint advisory: smart-glasses caution

EXTERNAL SPE REPORT

The connected gaze · 1 Oct 2026

Not EDPB-produced. Pages 5–9, 14, 33.

RECORDING LAW

Germany
Criminal Code §201
France
Code pénal art. 226-1
Bulgaria
Constitution art. 32(2)
Greece
Penal Code art. 370A
Switzerland · FDPIC
Recording conversations
Israel
Wiretap Law 5739–1979
USA · Federal
18 USC §2511(2)(d)
USA · California
Penal Code §632
UK · Metropolitan Police
Photography advice
UK · Interception
Investigatory Powers Act 2016 §§3–4
Ireland · DPC
Public-place photographs and videos

DEVICE & WORKPLACE

Bundesnetzagentur · 29 Nov 2024
Covert-recording device warning
EEOC · 19 Dec 2024
Wearables in the Workplace (index)
BAuA / DGUV
Glass@Service project F 2412
DGUV / IFA
Safe and healthy use of smart glasses
FRA · 4 Dec 2025
Assessing High-risk AI
European Disability Forum · 27 Oct 2025
Disability-inclusive AI Act guide

EQUALITY & ACCOMMODATION

EU: Directive 2000/78/EC, art. 5
Ireland: Employment Equality Act, s.16
Great Britain: Equality Act 2010, ss.20–21
USA: EEOC ADA accommodation guidance

Bulgaria	Greece
Switzerland	Israel

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How Did Things Go? (We Really Want To Know)

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