



European creators and right holders call for meaningful transparency obligations on AI systems to ensure the lawful use of copyright-protected content.

~ The EU Parliament’s proposal is a step in the right direction. ~

We represent a broad coalition of organisations in Europe’s creative and cultural sectors, including authors; book, news media, music, scientific, and technical publishers; recorded music, film and TV producers; distributors and photo agencies.

Europe has a unique opportunity to show global leadership on an AI framework.

With the ongoing AI Act trilogue negotiations, the European Union has the unique opportunity to lead globally in establishing a responsible AI framework. In doing so, it would boost innovation and create new business opportunities, while ensuring that AI develops in a way that is responsible and sustainable for European creators. To achieve this, it is essential that AI systems are trained on content and data which is accessed lawfully, including by appropriate prior authorisations obtained for the use of copyright protected works and other subject matter, and that the content and sources used to train the systems are clearly identified.

The cultural sectors have embraced AI’s potential.

AI in its different forms offers new and innovative tools to support the cultural sectors, from systems that assist the creative process to those that help optimise consumer engagement, identify content quickly and accurately, assist with scheduling, automate, and enhance efficient payment systems and more.

Progress in AI innovation and effective copyright protection are not mutually exclusive. On the contrary, AI processes that depend upon the “input” of protected works or other subject matter derive their purpose and value from these works or subject matter.

AI systems should comply with the existing EU copyright framework.

Therefore, to protect the livelihoods of European creators and right holders responsible for these works, it is essential that all AI systems made available in the EU comply with the existing EU copyright framework. To ensure that access is lawful, including through appropriate licences and permissions obtained from relevant right holders, and that right holders are able to effectively enforce their rights where that is not the case, it is essential that developers and deployers of AI systems keep detailed records of third party works or other protected subject matter used, alongside the basis on which they were accessed, and make this information available to right holders.

Accurate record keeping is essential.

The obligation to keep accurate records should go back to the start of the development to provide a full chain of use. Further, to avoid “AI laundering” it must extend to all systems that are made available in the EU, or that produce output used in the EU, regardless of the jurisdiction in which the training or testing may have taken place. Failure to keep detailed records should give rise to a presumption of use of the data in question.

The EU Parliament’s proposal is a step in the right direction.

We believe that the European Parliament’s proposal to oblige AI providers to record the data used to train AI, including material protected under copyright law, and to make this available in a sufficiently detailed way for right holders to identify and enforce their rights, is a first step in the right direction.

We call on the European institutions to support these provisions, and we look forward to working with them to make further improvements to ensure the AI Act is fit for the purpose of protecting the work of European creators and rightsholders.

LIST OF SIGNATORIES

CEPI, the European Audiovisual production Association, is the voice of independent production in Europe since 1990. Today CEPI represents 19 national film and audiovisual Production associations from 17 European countries, as well as other organisations such as the Pan-European Association of Animation. CEPI role is to represent the interests of independent producers and foster a strong, independent film and television production sector.

CEPIC, the Center of the Picture Industry, federates 600 picture agencies and photo libraries in 20 countries across Europe, both within and outside the European Union. CEPIC's membership includes large and smaller stock photo libraries, major photo news agencies, art galleries and museums, video companies.

EMMA, the European Magazine Media Association, is the unique and complete representation of Europe’s magazine media, which is today enjoyed by millions of consumers on various platforms, encompassing both paper and digital formats. EMMA represents 15,000 publishing houses, publishing 50,000 magazine titles across Europe in print and digital.

ENPA, the European Newspaper Publishers’ Association is the largest representative body of newspaper publishers across Europe. ENPA advocates for 16 national associations across 13 European

countries and is a principal interlocutor to the EU institutions and a key driver of media policy debates in the European Union.

EPC, the European Publishers Council, brings together Chairmen and CEOs of Europe's leading media groups representing companies with newspapers, magazines, online publishing, journals, databases, books and broadcasting, communicating with Europe's legislators on issues that affect freedom of expression, media diversity, democracy and the health and viability of media in the EU.

FEP, the Federation of European Publishers, represents 29 national books and learned journals publishers' associations of the European Union and the European Economic Area.

GESAC, the European Grouping of Societies of Authors and Composers, comprises 32 authors' societies from across the European Union, Norway, and Switzerland. As such, it represents over one million creators and rights holders in the areas of musical, audio-visual, visual, and literary and dramatic works.

ICMP is the global trade association for the music publishing industry. ICMP represents approximately 90% of the world's commercially released music. Its membership comprises 76 different national associations, across 6 continents, as well as the Major and independent music publishing companies.

IFPI, the International Federation of the Phonographic Industry, is the voice of the recording industry worldwide. IFPI and its National Group network represents the interests of some 8,000 members across the globe.

IMPALA is the European association of independent music companies, representing over 5,000 music SMEs. Its mission is to grow the independent music sector sustainably, return more value to artists, promote diversity and entrepreneurship, improve political access, inspire change and increase access to finance.

IMPF represents independent music publishers internationally. It is the global trade and advocacy body that helps stimulate a more favourable business and entrepreneurial environment for artistic, cultural, and commercial diversity for independent music publishers everywhere and the songwriters and composers they represent.

STM is the leading global trade association for academic and professional publishers. The membership is composed of over 140 organisations who are based globally and include academic and professional publishers, learned societies, university presses, start-ups and established players.