

Statement

AI and copyright: the view of digital publishers

Artificial intelligence is having a major impact on society and the economy, putting the efforts by legislators and regulators to introduce rules on how to govern this new technology in the spotlight. The publishing and news media sector has a strong interest in the development and deployment of AI technologies, as it offers opportunities to digital publishers to further innovate and make use of new tools, but it also raises questions on the fitness of the existing regulatory framework, including copyright.

Do not regulate hastily

As negotiations on the Artificial Intelligence Act (AI Act) are entering their final phase in Brussels, EIMP is concerned to see new provisions relating to copyright and AI are suddenly being tabled.

Our key message to regulators working on the AI Act, and to policymakers more broadly, is: do not regulate AI and copyright hastily. The AI Act is in essence a product safety regulation, and is therefore not the right legal instrument to capture all the critical aspects copyright law entails, which require careful consideration.

Follow the Commission's Better Regulation guidelines

We understand and share the idea to consider reviewing and possibly updating copyright rules in light of the deployment of various AI applications, not least generative AI.

However, the complexities around the interaction between AI applications and existing copyright rules warrant a thorough and proper analysis prior to any kind of legislative proposal or review. This means following the Commission's [Better Regulation guidelines](#), including preparing an impact assessment, running a public consultation, and taking the time to ensure all stakeholders that could be affected by possible new rules are given a chance to be heard.

Suddenly including provisions relating to copyright in the ongoing AI Act negotiations goes against this principle, especially as there were no such provisions included in the original proposal by the Commission (in April 2021) or the negotiating positions of the Council of the EU or of the European Parliament.

We therefore call on policymakers to refrain from any hasty review of copyright rules within other legislative proposals, including in the AI Act.

Only a thoroughly assessed, targeted review of copyright rules in relation to new technologies, such as AI, can ensure that new rules provide all actors in the publishing and news media ecosystem the legal certainty and clarity necessary to operate and grow. Especially for SMEs and newer digital publishers, such as are EIMP members, this is of pivotal importance.

About EIMP

*The European Independent Media Publishers association – EIMP, is a pan-European association consisting of national associations of media publishers and individual publishers that are active in the sector of media publishing in Europe. EIMP represents innovative, independent, local and regional outlets that rely on online channels to grow and reach audiences, and promotes media pluralism and an ecosystem that fosters growth for small, independent and innovative (digital-native) media publishers. EIMP was established in 2015 when the European Commission launched its copyright reform, in order to take part in the debate and ensure the new rules support our members. EIMP represents over 1000 media outlets across Europe. **Contact:** secretariat@eimp.eu*