Council of the European Union

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NOTE

From:	General Secretariat of the Council
To:	Delegations
Subject:	AOB for the meeting of the Education, Youth, Culture and Sport Council on 19 and 20 November 2026: Safeguarding copyright in the age of AI in Europe: time for action *- Information from Austria, Cyprus, Croatia, Denmark, Estonia, Germany, Poland, Portugal, Slovakia, Slovenia and Spain*

Following the AOB item presented by Austria, Estonia, Germany, Greece, Portugal, Slovenia, Slovakia and Spain at the last Council meeting in May 2026 (doc. 8565/26), we would like to take a position again on this topic in view of its urgency and importance for the cultural and media industries.

The development of artificial intelligence has ushered an epochal change and has become a particularly great challenge for the cultural and creative sector. Since AI has moved from pure research into broad practical application, it has led to profound upheavals in human creative processes and the perception and experience of art and culture. Its extent is becoming increasingly clear, and the need for action more urgent.

It is therefore of fundamental importance to ensure the sustainable production of new and diverse human-created content and to secure the livelihood of creatives. At the same time, these works form the basis for future innovations. This is also in the particular interest of the AI economy, which depends on high-quality data.

Therefore, there is growing recognition that legislative measures are necessary to safeguard copyright in the age of AI.

We have previously referred to the resolution of the European Parliament of 10 March 2026 on copyright and generative artificial intelligence – opportunities and challenges (2025/2058(INI)) and its relevant proposals to be considered and taken forward at the level of our Union.

We also support the "Targeted Initiative for a Better Copyright Environment for European Creativity and Innovation" published by the Commission on May 13, 2026 followed by the Call for Evidence and the public consultation. The initiative is a crucial and important step towards a European regulatory framework that provides creators with the necessary protection in the age of AI while enabling AI companies to achieve sustainable innovation through lawful access to protected content.

In light of rapid technological developments, swift action is needed to improve the enforceability of reservation of rights, enhance transparency regarding training data, and ensure adequate remuneration for all creators across the board. The aim is to protect human creative work while enabling AI innovation in Europe. European innovation and AI development require fair competition and a level playing field with non-European providers, irrespective of where the AI was developed and, in particular, where it was trained.

Thus, we call on the European Commission to present a corresponding legislative proposal as soon as possible and, in the meantime, to enforce the transparency requirements and other obligations that are already applicable to GPAI model providers. In addition, the AI Office should examine the suitability of the current template to increase transparency and the licensing pressure on AI developers.