EANA Position Paper on the JURI Committee's Initiative Report (JURI-PR-775433)

Copyright and Generative Artificial Intelligence – Opportunities and Challenges

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Preamble

News agencies are essential pillars of democratic societies. They provide factual, verified and balanced information that forms the backbone of the entire media ecosystem. Serving both legacy and digital media, they supply the comprehensive, indispensable news coverage that supports media pluralism and enables media organisations to use their editorial capacities to produce own and distinctive content that strengthens brand identity and, above all, enriches public discourse. As the first link in the news value chain, news agencies are expected to report breaking news immediately and consistently verify the accuracy of information. Their extensive network of mutual content exchange agreements makes them the "blood vessels" of international news flow, enabling highly reliable information to circulate rapidly across borders.

In addition, news agencies have an enormous reach and therefore a key role in the world of news. More precisely, they supply virtually the entire national news market. So, they naturally operate under rigorous, repeatedly tested quality assurance systems in order to fulfill their great responsibility and ensure the highest standards. Today — perhaps more than ever — they play a guiding role in ensuring that societies have access to fact-based, trustworthy information. Their ability to serve many media outlets simultaneously gives them significant influence over how well the public is informed.

Safeguarding their content rights is therefore not only a matter of commercial survival, but above all of democratic resilience. Licensing of the General News Service is the core business model of news agencies. If agency content which is fact-based, intellectual property with intrinsic value can be used — including by AI models — without authorisation and therefore without remuneration, the economic foundation that sustains high-quality, independent news provision erodes substantially.

EANA, the European Alliance of News Agencies, is fully aware of the fundamental transformation the news ecosystem is undergoing as a result of artificial intelligence. EANA is committed to supporting this transition with a clear sense of responsibility. But in times of rapid technological change, people need factual, trustworthy information more than ever. In order to continue providing such reliable information in an AI-dominated environment, it must be ensured that news agencies are able to continue to monetise their content rights. This requires a much more effective legal framework for copyright and rights reservations — one that goes well beyond the current state of regulation.

At the same time, EANA points out that news agency content must play an essential role within an AI-supported news ecosystem, but of course, recognises that technical deployments are worth

supporting in order to establish new processes and procedures in the field of AI. Therefore, EANA strongly advocates the development of technical methods and processes that enable seamless licensing of protected content, ensuring both compliance with regulations that need to be improved and sustainable value creation for all participants in the information economy.

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1. Introduction

The European Alliance of News Agencies (EANA) welcomes the initiative report of the European Parliament's Committee on Legal Affairs (JURI) on "Copyright and Generative Artificial Intelligence." This report marks a longoverdue turning point in Europe's approach to the use of copyrighted content by generative AI systems.

News agencies are foundational pillars of Europe's information ecosystem. Their content enables fact-based public debate and supports a pluralistic media landscape. Increasingly, this content also serves as training material for generative AI models — often without authorisation, transparency or remuneration. The JURI initiative report recognises this structural imbalance and proposes measures that news agencies explicitly support.

So, EANA strongly supports the report's conclusion that current EU copyright law is inadequate considering AI developments and calls for a clearly defined legal framework, direct remuneration obligations, comprehensive transparency, and formal recognition of news agencies as an indispensable part of Europe's democratic information infrastructure.

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2. Endorsement of the JURI Committee's Key Findings

2.1. Acknowledgement that Article 4 of the DSM Directive was not designed for AI training

The initiative report clearly states that **Article 4 of the Directive on Copyright in the Digital Single Market (DSM Directive, Directive (EU) 2019/790) was neither intended at the time of its adoption nor it is actually suitable to regulate AI training practices**. This clarification is of crucial importance for news agencies: it invalidates overly broad interpretations that attempt to legitimise large-scale, often initially unnoticed, and above all unpaid copying of journalistic content for AI development.

EANA Position:
We strongly support this conclusion and call on the European Commission to formally reaffirm it and incorporate it into future regulatory instruments, ensuring legal certainty for rights holders.

2.2. Support for a dedicated legal framework for AI training

The report suggests that AI training should **no longer fall under existing text and datamining exceptions** but instead be governed by a **standalone legal framework**. The unique scale and economic impact of generative AI require explicit licensing and a mandatory opt-in system for the use of journalistic content.

EANA Position:
We advocate a mandatory *opt-in system* for the training of AI models on journalistic content. Only explicit licensing can ensure legal certainty, fairness, and sustainable business models in the digital information ecosystem.

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3. Compensation Mechanisms – Fully Supporting and Extending JURI's Proposals

The initiative report proposes to **immediately introduce remuneration obligations for GPAI model providers** until a comprehensive regulatory framework is established.

EANA Position:

- Remuneration obligations must take effect *without delay*.
- They must include *all professional content creators,* especially news agencies.
- Obligations must apply to all AI models whose outputs are used within the EU, regardless of where the developer is based.

In addition, EANA recommends:

- Developing an EU-wide harmonised **collective licensing system** for AI training on journalistic content is essential.
- A recommendation on how compensation should be distributed among the rights holders whose content has been used. A **distribution based on the level of human editorial effort** involved in creating the content is appropriate.
- Establishing a **European News Dataset Registry** linking training data usage to licensing documentation is highly recommended.

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4. Transparency – Strong Support for Itemised Disclosure

The initiative report calls for:

- **full, itemised transparency** regarding all works used in AI training, and
- an **irrebuttable presumption of use** if transparency requirements are not met.

EANA Position:
We strongly endorse both measures. Itemised transparency, not aggregated reporting, is indispensable for allowing rights holders to verify unauthorised use, assert remuneration claims, and prevent misuse of protected content.

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5. Machine-Readable Rights Reservations and an EUIPO Register

The initiative report supports the creation of:

- a machine-readable standard for rights reservations, and
- a central **EUIPO register** for opt-outs.

EANA Position:
We support these proposals entirely. While a rights reservation register is valuable, it must **not** replace a mandatory opt-in regime for AI training. Nevertheless, a centralised EUIPO register would strengthen technical enforceability and support standardisation across the EU.

In addition, EANA recommends:

- establishing processes that allow rights holders to express differentiated rights reservations in a way that supports effective and sustainable business models;
- ensuring that these mechanisms provide AI developers with sufficient transparency regarding which content is restricted and which may be used;
- complementing rights reservation declarations with machine-readable- workflows that enable the licensing of protected content whenever such licensing is intended;
- working closely with the IPTC (International Press and Telecommunications Council, an industry association that defines technical standards for media operations) to achieve this and coordinating these efforts with the relevant bodies of the European Union, including JURI, EUIPO, and the AI Office.

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6. Protection of Modified, Embedded, or Derivative Content

Even when media organisations edit agency material, **recognisable parts of the original work remain protected**. AI developers must not exploit redacted or embedded versions of agency content as a loophole for unlicensed training.

EANA Position:
The final report should explicitly state:

Derivative or transformed journalistic content that remains recognisably based on agency material must not be used for AI training without proper licensing.

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7. Safeguarding Europe's Democratic Information Infrastructure

Generative AI affects the quality, plurality, and accessibility of information within democratic societies. News agencies contribute substantially to democratic stability by supplying verified and balanced content to virtually all professional media.

EANA Position:
We recommend formally recognising news agencies as a **"High Value Content Tier"** in EU regulation, reflecting their essential social role, critical importance for democracy, media pluralism, and a well-informed citizenry.

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8. Conclusion

The JURI Committee's initiative report represents a decisive step toward a modern, fair, and sustainable regulatory framework for generative AI in Europe.
EANA urges the European Parliament, the Commission, and Member States to:

1. implement a **mandatory opt-in** system for AI training on journalistic content,
2. introduce **immediate remuneration obligations** for all GPAI providers,
3. establish **itemised transparency requirements**,
4. build an EUIPO based **rights reservation register**,
5. recognise news agencies as **system-critical content producers**,

6. create a **dedicated legal framework** for AI training that protects content creators.

EANA stands ready to collaborate closely with EU institutions in shaping a regulatory environment that strengthens Europe's information ecosystem, safeguards democratic values, and ensures the long-term viability of professional and fact-based journalism.

EANA Copyright Committee / Peter Kropsch / Lilian Hübner / March 6, 2026