Parliamentary Assembly
Assemblée parlementaire
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COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

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Upholding our diverse culture, freedom of expression and information by effective enforcement of copyright

Motion for a resolution
tabled by Mr Mogens JENSEN and other members of the Assembly

This motion has not been discussed in the Assembly and commits only those who have signed it

Technological advances are having a profound impact on the media landscape. Concurrently, democratic systems and institutions are being undermined through the utilisation of digital tools. Global platforms act as gatekeepers of the internet, disintermediating access to media services and amplifying polarising content and disinformation.

Intellectual property rights are a precondition for innovation and investment in many industries, including the creative sector. In this Artificial Intelligence (AI) era, however, intellectual property owners no longer control their content, nor can they protect it. In order to feed their data-hungry systems, AI companies are scraping the internet without any permission or legal basis and without remunerating content creators. Consequently, these companies leverage their dominant position to exert undue influence over access to information through content moderation, censorship, algorithmic filtering, and model training biases.

This unregulated environment is particularly advantageous for US companies. Without a level playing field, innovation and competition in Europe will suffer. In the absence of fairness, existing disparities in wealth and power will be exacerbated. Unfortunately, the present legal system is incapable of rectifying market failure, as regulators and smaller competitors lack the financial resources to match the billion-dollar legal expenditure of tech giants. Furthermore, judicial proceedings themselves are inadequate for addressing public goods, such as trustworthy information and digital infrastructure, or externalities, including disinformation and environmental damage. This situation thus demands a new approach.

The Parliamentary Assembly must examine how intellectual property rights can be effectively enforced and propose concrete lines of action for strengthening freedom of expression and information.

Signed (see overleaf)

Signed[1]*:*

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1. ALDE: Alliance of Liberals and Democrats for Europe
EPP/CD: Group of the European People's Party
SOC: Socialists, Democrats and Greens Group
UEL: Group of the Unified European Left
NR: Representatives not belonging to a Political Group