



Paris, 14 May 2025

POLITICAL OPINION
on the General-Purpose Artificial Intelligence Code of Practice

- (1) The Senate European Affairs Committee,
- (2) Having regard to the Treaty on the Functioning of the European Union, in particular Articles 16, 114 and 167,
- (3) Having regard to the Charter of Fundamental Rights of the European Union,
- (4) Having regard to the Convention for the Protection of Human Rights and Fundamental Freedoms,
- (5) Having regard to Directive (EU) 2019/790 of the European Parliament and of the Council of 17 April 2019 on copyright and related rights in the Digital Single Market and amending Directives 96/9/EC and 2001/29/EC,
- (6) Having regard to Regulation (EU) 2024/1083 of the European Parliament and of the Council of 11 April 2024 establishing a common framework for media services in the internal market and amending Directive 2010/13/EU (European Media Freedom Act),
- (7) Having regard to Regulation (EU) 2024/1689 of the European Parliament and of the Council of 13 June 2024 laying down harmonised rules on artificial intelligence and amending Regulations (EC) No 300/2008, (EU) No

167/2013, (EU) No 168/2013, (EU) 2018/858, (EU) 2018/1139 and (EU) 2019/2144 and Directives 2014/90/EU, (EU) 2016/797 and (EU) 2020/1828 (Artificial Intelligence Act),

- (8) Having regard to the European Union's Strategic Agenda for the 2024-2029 period,
- (9) Having regard to the political guidelines for the next European Commission 2024-2029,
- (10) Having regard to the speech given on 11 February 2025 by Ursula von der Leyen, President of the European Commission, at the Paris Summit for Action on Artificial Intelligence (AI);
- (11) Having regard to the AI Continent Action Plan, presented on 9 April 2025, COM(2025) 165 final,
- (12) Having regard to the roadmap of the Executive Vice-President of the European Commission, responsible for Technological Sovereignty, Security and Democracy,
- (13) Having regard to Senate European Resolution No 70 (2021-2022) of 14 January 2022 on the proposal for a regulation of the European Parliament and of the Council on a Single Market for Digital Services (Digital Services Act) and amending Directive 2000/31/EC, COM(2020) 825 final,
- (14) Having regard to Senate European Resolution No 36 (2022-2023) of 11 December 2022 on the reasoned opinion on compliance with the principle of subsidiarity of the proposal for a regulation of the European Parliament and of the Council establishing a common framework for media services in the internal market (European Media Freedom Act) and amending Directive 2010/13/EU, COM(2022) 457 final,
- (15) Having regard to European Senate Resolution No 100 (2022-2023) of 9 May 2023 on the proposal for a Regulation of the European Parliament and of the Council laying down harmonised rules on artificial intelligence and amending certain Union legislative acts, COM(2021) 206 final,

- (16) Having regard to Senate European Resolution No 106 (2024-2025) of 18 April 2025 calling for the strict application of the European Union's digital regulatory framework and for the reinforcement of the conditions for genuine European digital sovereignty,
- (17) Having regard to the European Broadcasting Union (EBU) News Report 2024, “Trusted Journalism in the Age of Generative AI”, published on 24 June 2024, and the EBU News Report 2025, “Leading Newsrooms in the Age of Generative AI”, published on 23 April 2025,
- (18) Having regard to the report of the Estates General on Information of 12 September 2024, entitled “Protecting and Developing the Right to Information: a Democratic Emergency”,
- (19) Having regard to the agreement establishing the Journalism Trust Initiative, published by the European Committee for Standardization (CEN) in December 2019,
- (20) Whereas digital technologies are of crucial importance and artificial intelligence technologies are playing a growing role, particularly in the economic, social, societal and environmental fields;
- (21) Whereas this process of digitalisation and dissemination of artificial intelligence must not, under any circumstances, undermine the protection of fundamental rights, nor create risks for data security;
- (22) Whereas freedom of the press, pluralism and independence of the media are prerequisites for democratic life; whereas the integrity and conditions of practice of professional journalism play a decisive role in this respect and must be protected from the risks engendered by artificial intelligence (AI), whose applications propagate false news at high speed and on a massive scale;

- (23) Whereas artificial intelligence is a disruptive innovation and the opacity of its systems constitutes an unprecedented barrier to information for users, creators and journalists alike, whose data is harvested without their knowledge;
- (24) Whereas the purpose of regulating artificial intelligence is not to prevent the emergence of models but to ensure their compliance with European standards and values so that Europe can benefit fully from the economic and societal potential of AI, in line with European digital regulations;
- (25) Whereas generative artificial intelligence requires a transparent, ethical framework that complies with the Community *acquis* so as to foster its development under proper conditions;
- (26) Whereas, by adopting the Artificial Intelligence Act on 13 June 2024, the European Union has endowed itself with pioneering regulation designed to protect without hindering, which it must now consolidate;
- (27) Whereas any weakening of the Artificial Intelligence Act due to a lack of ambition in its implementing documents would, in the current context, lead to a general weakening of the European regulatory framework for data and European legislation on copyright;
- (28) Whereas the cultural sector is an economic sector in its own right and a creator of wealth, and it is therefore imperative to respect it in order to ensure the viability and sustainability of its constituent industries;
- (29) Whereas AI models are likely to pose a risk both to the cultural sector and to media freedom and information integrity, which presupposes the protection of the exercise of journalism, whose role in informing citizens and preserving democracy is more essential than ever;
- (30) Whereas European regulations on copyright and related rights are of great importance and must be strengthened to address the development of AI;
- (31) Whereas the Copyright Directive of 17 April 2019 only authorises text and data mining for the purposes of scientific research insofar as, on the one hand, research bodies have

lawful access to such data and, on the other hand, the rights holder has not exercised its right to opt out of text and data mining;

- (32) Whereas it is important to develop sovereign European structures and players in order to limit the pressures exerted on European data and copyright regulations, on the one hand, and promote the controlled development of AI, on the other;
- (33) Whereas, however, the objective of European technological sovereignty should not be taken as an endorsement of the plundering of data, particularly in the cultural and media spheres;
- (34) Whereas the European Parliament decided to set up a special committee on the “European Democracy Shield” on 13 December 2024;
- (35) Whereas the press and audiovisual media need to be given the means to pursue their information remit, and the general harvesting of data, articles and sources, which constitutes theft, also undermines the reliability of information, substantially weakens the business model of their structures and endangers the media pluralism required by our democracies;

Concerning the creation of the Code of Practice

- (36) Reiterates that the Artificial Intelligence Act states that AI providers must implement a policy of compliance with EU law on copyright and related rights, including by identifying and respecting any reservation of rights, and that it refers to the development of a Code of Practice to which providers of general-purpose AI models may refer;
- (37) Reiterates that information content should only be used in generative AI models and tools with its authors’ permission;
- (38) Notes that the negotiating group on the Code of Practice was put in place rapidly with a large number of participants, which confirms the importance of this subject and the attention that should be paid to it;

- (39) Observes that the parties involved in the negotiations have conflicting expectations and objectives; is concerned at the widespread discontent that has arisen, with some players leaving the negotiations; calls on the European Commission to do its utmost to bring all the stakeholders together in order to resume and continue the dialogue by enforcing the Artificial Intelligence Act and not opting for minimum requirements that would be detrimental to the protection of fundamental rights and democracy;
- (40) Regrets the lack of ambition reflected in the third version of the Code of Practice; calls on the European Commission to refrain from endorsing any proposal for a Code that does not meet the requirements laid down by the co-legislators in the provisions of the Artificial Intelligence Act 2024/1689;
- (41) Particularly deplores the reduction in transparency requirements, which runs counter to the provisions of the Artificial Intelligence Act; stresses that such a reduction is likely to weaken the scope of the European AI Act and, beyond that, of the entire European digital framework; therefore, calls for full transparency on the use of data;
- (42) Disagrees with the fact that an AI provider should only be required to make “reasonable efforts” to mitigate the risk of a model storing copyright-protected content; reiterates that the requirement to assess and mitigate systemic risks, which include risks to fundamental rights and democracy, is not optional and should instead guide negotiators, in accordance with the Artificial Intelligence Act;
- (43) Denounces the weakening of the proposed evaluation mechanism, since AI providers, instead of being required to perform a due diligence verification of their compliance with copyright rules, would simply have to make “reasonable efforts”;
- (44) Reminds the European Commission that transparency enables the exercise of the right to an effective remedy – a right that is recognised and protected, notably by the Charter of Fundamental Rights of the European Union and the European Convention on Human Rights;

- (45) Warns of the risk of legal uncertainty that would be created by the adoption of a code of practice that did not comply with the regulation adopted by the European co-legislators; adds that any levelled-down interpretation of legislation adopted in accordance with a trilogue agreement would be dangerous to democracy;
- (46) Challenges the choice of the Robot Exclusion Protocol (“robots.txt”) to determine content that may not be used as training data; points out that the robot.txt protocol provides information on consent or the absence of consent, but does not constitute any form of technical measure preventing data mining; strongly urges the European Commission to adopt another technical solution that genuinely protects the right to opt out, following the example of the TDMRep (Text and Data Mining Reservation Protocol) programme;
- (47) Reiterates that artificial intelligence is based on probabilistic reasoning; considers, therefore, that obtaining high-quality data is a prerequisite for training models; rejects, in this regard, the automatic harvesting of all data, including both reliable data and fake news or illegal content, which is detrimental to the qualitative development of AI and to the reliability of information;
- (48) Questions the structuring of the code, as made public in March 2025, as this presentation seems designed to mask its weaknesses;
- (49) Reiterates that accuracy and attribution are key to the reliability of information and that the original source of AI-generated content must therefore be visible and accessible to citizens;
- (50) Questions the scope of this code, which is intended to itemise the provisions of the Artificial Intelligence Act for general-purpose AI providers; is concerned that the measures announced so far go no further than the international declarations already issued on this subject, without achieving any major progress;
- (51) Asks the European Commission not to back down in response to the tech giants and AI providers who are blackmailing it into signing the Code of Practice; demands

strict application of the regulations adopted, without yielding to pressures from third countries; stresses that the entire European project, based on democracy and human rights, is at stake;

On the sufficiently detailed summary template

- (52) Reiterates that the Artificial Intelligence Act requires AI providers to develop a sufficiently detailed summary of the content used to train the general-purpose AI model and to make it publicly available, and that the template for this summary is provided by the European Commission's AI Office;
- (53) Regrets the method used by the latter, and especially the decision to provide stakeholders with only a fragmented version of the template, rather than a complete draft;
- (54) Encourages the European Commission's Artificial Intelligence Office to take account of the diversity and structural specificities of cultural industries in the final version of the template by retaining a sufficient degree of detail;
- (55) Rejects the data-sampling approach, which consists in listing only 10% of the sites consulted per type of data or at least 5% of the datasets from third-party databases that are not accessible to the public; considers that such an approach does not enable parties with legitimate interests to exercise or enforce the rights conferred on them by the European Artificial Intelligence Act; points out that providers must ensure the lawfulness of the content they harvest, including on a third-party basis;
- (56) Is surprised at the differentiated treatment vis-à-vis sampling that might apply to small and medium-sized enterprises, which could benefit from streamlined transparency arrangements; notes that the Artificial Intelligence Act does not contain any provision authorising this derogation; is in favour of removing this facility for which there is no justification;
- (57) Demands that the sufficiently detailed summary template should include at least the list of URLs consulted and the

date of data collection so as to ensure a minimum level of effective transparency; disagrees that this level of detail would violate trade secrecy because, in contrast to algorithmic models, data does not benefit from the protection of trade secrecy;

- (58) Calls on the European Commission to uphold the spirit and the letter of the Artificial Intelligence Act and to affirm its strong commitment to the defence of copyright, the cultural and information industries, media freedom and journalists' rights.