

Who is this aimed at

Relevant to the European Film Industry:

- EU and national policymakers
- Government and local Authorities
- Industry and professional associations
- AI developers and technology providers
- Trade unions and guilds representing creative and technical workers
- Educational and vocational institutions
- Platforms and Technology Industry

Key Messages

The Film industry is undergoing further technological transformation with the development and implementation of Artificial Intelligence (AI) into every stage of filmmaking: from concept development to distribution, AI is redefining not only practices, but also possibly notions of *authorship, ownership and artistic labour*. AI use raises questions for the protection and recognition of human creativity, regulatory implications and furthermore crucial ethical questions for expression, authenticity, truth and connection in European film. This evolution offers on the one hand immense opportunities for efficiency, innovation and market expansion, but on the other hand it also raises structural and normative challenges that test the resilience of Europe's cultural and regulatory frameworks. The European Union has taken a leading stance in AI governance through the GDPR, the AI Act, and the Digital Single Market Directive, yet the *scope and translation* of these frameworks into the creative industries remains incomplete and uneven. If guided by a coherent *common* policy vision that integrates legal certainty, ethical responsibility and cultural inclusivity, AI can become not a threat but a catalyst - enhancing creativity, empowering artists and positioning the European film industry as a global exemplar of responsible innovation.

Introduction

The integration of AI into film production has profoundly altered the audiovisual creative process, challenging traditional notions of human labour, creativity and authenticity. The European Union (EU) has taken the lead in shaping a responsible AI policy framework, most notably through initiatives, such as the EU AI Act and the earlier White Paper on AI, among others, aiming to address fairness, transparency and accountability. While the Act promotes trustworthy, human-centric AI and safeguards, crucial aspects, such as health, safety, fundamental rights, democracy and the environment, its implementation in the creative sector in general, and in the film sector, in particular,



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remains vague, fragmented and largely unmonitored leaving a regulatory gap. The AI Act introduces specific obligations for general-purpose AI (GPAI) models, including transparency requirements for training data, documentation of model capabilities and limits, and risk-mitigation processes for downstream users. For film-production contexts, this means that tools used for script generation, automated editing, facial-motion analysis or synthetic-media creation must provide accessible information about how they were trained and how they handle potentially infringing or biased content. Existing research highlights AI's potential to increase technical precision and productivity up to 75% and to democratise access to various tools for both major studios and independent creators, enhancing economic resilience and resource efficiency. Drawing upon in-depth EU regulation analysis, interviews with stakeholders and review of the literature, this policy brief maps existing regulation tensions related to AI in film production. Moreover, it examines the multifaceted impact of AI on the European film industry and provides concrete policy recommendations for the ethical implementation of AI in the film industry. We contend that, when grounded in ethical practices, AI can become a strategic asset for the European film industry-strengthening its global positioning by showcasing innovation, cultural relevance and a clear commitment to responsible media production.

Statement of the problem

The rapid integration of AI into European film production promises substantial efficiency gains but creates a legal and ethical vacuum that threatens core industry values (Liu et al., 2023). While the EU's 2024 AI Act establishes a common framework for AI systems, its provisions remain vague and unmonitored in the context of creative media, leaving filmmakers without clear standards for responsible use. This regulatory ambiguity is compounded by the absence of sector-specific guidelines, resulting in fragmented practices that fail to address fairness, transparency and accountability in film-related AI applications (Thomas, 2024).

Moreover, generative AI models train on massive datasets that often include copyrighted works without having secured consent by owners of intellectual property, raising serious misappropriation and authorship concerns for audiovisual creators (Oberting, 2024). The EU's text-and-data-mining (TDM) exception, originally designed for scholarly research, is now being stretched to permit commercial AI training, further blurring the line between lawful data use and infringement (Jiang et al., 2023; Khattak et al., 2025). Concurrently, AI-driven workflows risk deepening labour inequalities by privileging AI-savvy professionals while marginalising those lacking digital expertise (Yumeng & Xiao, 2025). The increasing use of synthetic actors, voice cloning and deepfake technologies further complicates the attribution of creative labour and raises concerns about the erosion of performers' rights, especially in the absence of clear contractual standards or consent requirements.



Furthermore, insufficient safeguards against algorithmic bias threaten to perpetuate stereotypical representations and undermine cultural diversity in European cinema. This confluence of productivity incentives, regulatory gaps, copyright uncertainty, labour disparity and bias forms the central problem that this policy brief seeks to address.

Existing Policy Gap

Existing EU policy provides a general but fragmented foundation for AI in film. The already mentioned AI Act (Regulation 2024/1689) establishes a risk-based regime and obliges providers of generative-AI systems to disclose the copyrighted datasets used for training and to implement safeguards against unlawful content (European Parliament & Council of the European Union, 2024). However, the Act offers no sector-specific provisions for audiovisual creation, leaving safeguards for artistic integrity largely underdeveloped. In practice, the logging obligations outlined in Articles 12 and 19 apply only to high-risk systems and therefore exclude the generative AI tools most commonly used in filmmaking. Furthermore, Article 95 and Recital 165 limit traceability measures for low-risk systems to voluntary industry codes, leaving the provenance of creative outputs effectively unverifiable.

Data-privacy obligations are governed by the General Data Protection Regulation (GDPR, 2016/679), which sets standards for lawful processing, consent and data minimisation that also apply to AI-driven media applications. Copyright protection is coordinated through the Copyright in the Digital Single Market Directive (DSM Directive, 2019/790), which introduces a text-and-data-mining (TDM) exception but primarily for scientific research; its commercial extension to AI training creates uncertainty for filmmakers (European Parliament, 2019; Han et al., 2012). The DSM Directive also reinforces the principle of human authorship, excluding purely machine-generated works from protection (Shrayberg & Volkova, 2021).

The DSM Directive requires rights-holders to “opt out” to prevent their works from being mined for AI training, putting a disproportionate weight of responsibility on individuals who already face a lot of the industry’s labour malaise, such as precarity. Many audiovisual creators lack both the technical means and the legal awareness to implement these opt-outs effectively. As a result, vast amounts of European film and visual content may be incorporated into training datasets without explicit permission, complicating future copyright claims and attribution disputes. This status may be ‘legal’, but it is ethically questionable.

Cultural-policy instruments, such as Article 13 of the EU Charter of Fundamental Rights and the Audiovisual Media Services Directive (AVMSD), promote artistic freedom and cultural diversity, yet



they, too, lack concrete mechanisms to address AI-generated content. The AVMSD provides no operational criteria for identifying, labelling or regulating AI-generated or AI-enhanced audiovisual content, creating uncertainty for broadcasters and streaming platforms as synthetic media becomes more prevalent. Emerging guidance on algorithmic bias highlights the need for transparency and fairness but remains vague for the film industry. Consequently, while a robust legal architecture exists for AI, its application to European cinema remains ambiguous, underscoring the urgency for film-specific guidelines and monitoring mechanisms.

Policy recommendations

This multifaceted landscape necessitates nuanced policy responses that carefully balance innovation, cultural preservation, equitable rights and social values, pointing to several policy implications forming the basis for the targeted recommendations that follow.

- **Human-protective policy by default** - Reverse policy guidelines and legal obligations toward human-centric principles that do not place humans as reactors to default technology acts. provide the drivers seat to human and their organisations to determine the scope and frequency of use of works, whether copyrighted or orphan works. Assign the responsibility to AI systems by design to observe the law *and* ethical standards; design the 'giving back' obligation within these systems, by producing material for free for creators and for educational purposes at full capacity.
- **Transparency and data-set metadata** - EU AI-Act should move beyond high-level summaries to a standardised, machine-readable metadata framework and a centralised repository for granular tracking of training data. This could be implemented through an EU-level repository overseen by an independent supervisory authority, ensuring that filmmakers and rights-holders can verify whether their works have been used for model training.
- **Strengthening authorship rights** - Introduce enforceable hybrid-authorship categories that recognise human-AI collaboration and ensure fair attribution and remuneration, especially for smaller rights holders. Clarifying liability for outputs generated from copyrighted inputs would protect smaller creators, while hybrid-authorship rules would acknowledge human creative direction in AI-assisted works.
- **Ethical standards and certification** - Create binding, sector-specific ethical codes with mandatory bias-mitigation, inclusivity and transparent crediting, supported by a formal certification scheme akin to GDPR seals. A certification scheme could be integrated into Creative Europe or national film-funding mechanisms, making ethical compliance a prerequisite for public funding.



- **Fair remuneration and value sharing** - Establish a statutory licensing regime covering both AI-training inputs and commercialised outputs, with collective-management bodies handling continuous revenue sharing. This regime should include standardised reporting of AI-generated outputs and transparent revenue-tracking mechanisms to ensure fair contribution-based compensation.
- **Film-specific AI guidelines** - Develop specialised codes of practice that address AI use in scripting, VFX, casting and distribution, embedding risk-management, human oversight and cultural-diversity safeguards. These guidelines should include risk-assessment templates, documentation standards and explicit thresholds for acceptable levels of synthetic manipulation in narrative or documentary contexts.
- **Labour transition and upskilling** - Prioritise EU-funded programmes that boost digital literacy and creative-technology skills for film professionals adapting to AI-augmented workflows. Training should be embedded in national film schools and professional guilds, ensuring equitable access to new AI-related skills across the industry.
- **Funding for independents** - Provide dedicated financial mechanisms to help small filmmakers access AI tools responsibly, preventing market concentration by large corporations. Dedicated micro-grants or AI-infrastructure vouchers could support independent filmmakers who lack access to high-computational-cost tools.
- **Cultural safeguards and audits** - Strengthen Creative Europe and similar programmes to support pluralistic art forms and mandate regular independent audits of AI systems for representation, diversity and fairness. Independent audits should evaluate representational patterns in AI-generated content to safeguard against systemic bias and reinforce cultural diversity commitments.

Conclusion

As AI spreads quickly throughout Europe's film industry, it's revealing important gaps in regulation, questions of authorship, workers' rights, and the protection of cultural values. The EU has already built a solid legal framework with the AI Act, GDPR and the DSM Directive, but these tools are not yet applied in ways that properly address the needs of creative sectors. By developing film-specific guidelines, improving transparency and embedding ethical principles throughout every stage of production, Europe has the opportunity to become not just a rule-setter but a global leader in responsible, culturally aware and forward-thinking AI filmmaking. Above all, making sure that AI supports - rather than replaces human creativity will be essential for protecting artistic integrity, cultural diversity and democratic values. This will require coordinated efforts from EU bodies,



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national governments and industry stakeholders to build a resilient, sustainable and competitive European film landscape in the AI era.

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Disclaimer

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