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## Resolution: Protecting artists in the face of generative AI

**The International Council of Creators of Graphic, Plastic and Photographic Arts (CIAGP) of the International Confederation of Societies of Authors and Composers (CISAC), whose member societies collectively represent 228 collective management organizations worldwide, meeting in São Paulo, Brazil, on 26–27 November 2025,**

Recalling Article 27(2) of the Universal Declaration of Human Rights, which affirms every author’s right to the protection of the moral and material interests resulting from their artistic creations;

Reaffirming the principle of automatic protection established by the Berne Convention, which ensures that the enjoyment and exercise of copyright are not subject to formalities and are governed by the law of the country where protection is claimed;

Recognizing that Article 9 of the Berne Convention allows for limitations and exceptions to the right of reproduction only in certain special cases, provided that they do not conflict with the normal exploitation of the work and do not unreasonably prejudice the legitimate interests of authors (the *three-step test*);

Noting that the rapid development of generative AI has led to large-scale uses of visual works for training purposes, raising important questions as to how such uses align with international copyright standards and how creators’ legitimate interests can be effectively safeguarded;

Bearing in mind that visual artists may face particular challenges in this environment, as their works are widely disseminated in digital formats without practical means to authorize, monitor, or manage uses in AI training and related applications;

Observing that certain legal frameworks have considered such uses under exceptions, including text-and-data mining (TDM), developed prior to the emergence of generative AI technologies and whose application in this context remains the subject of legal and policy debate;

Recognizing that TDM exceptions are designed in ways that fail to adequately safeguard the legitimate interests of creators, particularly in visual arts. This remains true even under TDM exception regimes accompanied by an opt-out mechanism, such as the model established in the European Union, insofar as it is manifestly impracticable for authors to have their reservations of rights effectively identified and respected, and, consequently, to secure fair remuneration for the use of their works.

1. Calls on national, regional, and international policymakers to adopt balanced and effective copyright frameworks that ensure the protection of literary and artistic works in AI development and training, by establishing mechanisms that secure proper authorization and fair remuneration for such uses, including, where appropriate, uses involving works already present in datasets.
1. Encourages legislators to consider regulatory approaches beyond copyright exceptions alone when addressing the large-scale use of works for AI training, and to ensure that any such exceptions are clearly defined, limited in scope, and consistent with the Berne Convention and the three-step test, particularly in commercial contexts.
2. Urges the exploration of practical, transparent, and scalable systems—such as collective or standardized licensing mechanisms—that enable creators to determine whether and under what conditions their works may be used for AI training without imposing undue administrative burdens.

3. Emphasizes the essential role of collective management organizations in delivering efficient licensing solutions for AI developers, facilitating lawful access to diverse repertoires while ensuring that creators receive appropriate remuneration.