



INTERNATIONAL AUTHORS FORUM

UNESCO Submission on the Proposed Amendments to the Operational Guidelines for the Implementation of the 2005 Convention in the Digital Environment

Introduction

The International Authors Forum (IAF) is the global voice of authors. We are a membership body representing organisations of professional creators worldwide. Formed in 2013 through a collaboration of authors' organisations, IAF enables creators to work collectively to address the challenges they face in an evolving cultural and technological landscape. With more than ninety authors' and visual artists' organisations as members, IAF represents over 700,000 professional creators and advocates for their rights at both national and international levels.

General position on the proposed amendments

IAF welcomes the proposed amendments to the Operational Guidelines of the 2005 Convention on the Protection and Promotion of the Diversity of Cultural Expressions. The revisions are timely and reflect the rapid evolution of the digital environment, particularly the emergence of generative artificial intelligence (AI), which presents both significant opportunities and serious challenges for authors and creators.

The IAF also welcomes the continued commitment to a technologically neutral approach, which has been a key strength of the Convention. Maintaining this principle is essential to ensure that the Guidelines remain adaptable and future-proof as new technologies emerge. Technological neutrality ensures that the Convention's core principles, including the protection of authors' moral and economic rights and the promotion of cultural diversity, apply consistently regardless of the tools or systems involved.

Key messages reflected in the proposal

The six priority areas identified in the proposal provide a comprehensive and balanced framework for addressing the relationship between technological innovation and cultural

creation. These include protecting human creativity, inclusion and participation, transparency and accountability, training and awareness-raising, sustainable development, and cultural exchange and international cooperation.

The IAF particularly values the alignment of the proposed amendments with the ART principles of authorisation, remuneration and transparency. These principles are essential for safeguarding authors' rights and ensuring the sustainability of creative ecosystems in the digital environment. Transparency, fair remuneration and prior authorisation must remain central to any regulatory or policy discussions concerning digital technologies, including artificial intelligence.

The IAF recognises that AI can serve as a useful tool for authors when used as a complementary instrument within creative processes. However, human creativity must remain at the core of artistic and cultural expression. For this reason, works generated entirely by AI systems should not receive the same legal protection as works created by human authors.

While the overall direction of the proposed amendments is positive, several aspects would benefit from further clarification to ensure legal certainty and avoid unintended interpretations that could affect existing copyright frameworks. In this respect, IAF echoes and supports the submissions made by the International Federation of Reproduction Rights Organisations (IFRRO), the International Confederation of Societies of Authors and Composers (CISAC) and the International Federation of Coalitions for Cultural Diversity (IFCCD).

Specific comments

1. Terminology and conceptual clarity

Clearer terminology would strengthen the Guidelines. The term “*cultural expressions*” would benefit from a more explicit definition in the context of the digital environment, particularly as it appears in Section 1.1 and throughout the proposed amendments. The text should also provide clearer definitions of what is meant by “*ethical*” and “*responsible*” AI. These concepts are referenced but not sufficiently articulated, even when read alongside UNESCO’s 2021 Recommendation on the Ethics of Artificial Intelligence and the Mondiacult 2025 Outcome Document. Greater precision is needed to ensure that Parties share a common understanding of the standards expected in the development and use of AI systems.



In addition, the document would benefit from a clearer definition of “creators” and other “cultural actors”. These groups have distinct roles, rights and responsibilities within cultural ecosystems, and the absence of precise terminology risks creating ambiguity in the interpretation and implementation of the Guidelines.

2. Concerns regarding Section 1.2 and the proposed “right to use AI”

Section 1.2, which introduces a “right to use AI in the name of artistic freedom”, does not address a demonstrated need and sits uneasily within a text intended to support the implementation of the 2005 Convention in the digital environment. The Convention’s objectives include protecting and promoting artists and cultural professionals and strengthening the diversity of cultural expressions. The introduction of a new “right” of this nature does not appear necessary to advance these aims.

There is also a risk that such a provision could have unintended consequences. Rather than protecting artistic freedom, it may place pressure on artists and cultural professionals to adopt AI tools in situations where their use could be encouraged or required for reasons of efficiency or cost. This could undermine the freedom of creators to choose not to use AI, particularly in sectors where working conditions are already fragile.

For these reasons, the IAF considers that Section 1.2 should be removed from the Operational Guidelines.

3. Protecting creative professions

The Guidelines should avoid provisions that could encourage or legitimise the replacement of creative professions by generative AI systems, including in areas such as dubbing or translation. Provision 2.2.3, as currently drafted, appears to promote the use of AI for translating, dubbing or subtitling cultural expressions without sufficiently recognising the role of professional translators and audiovisual adaptation specialists, or the need to respect their copyright and related rights. The IAF therefore recommends that this provision be removed.

4. Equitable access to technology with full respect for authors’ rights

Ensuring equitable access to digital technologies, including AI tools, for all communities, including indigenous people and minority groups, is essential. However, such access



must be promoted only within frameworks that fully respect authors' rights. Facilitating access to AI tools that rely on the unauthorised use of protected works would be inconsistent with the objectives of the 2005 Convention if these systems fail to respect intellectual property rights and do not provide fair remuneration to creators.

5. Training and awareness-raising

IAF strongly supports initiatives aimed at raising awareness and providing training on both the opportunities and challenges presented by artificial intelligence. Such training should support authors and creators in understanding the impact of AI on their work and should also extend to technology companies and digital platforms. Increasing awareness among technology developers is essential to ensure that AI systems are developed in ways that respect human creativity, creators' rights and sustainable cultural ecosystems.

Conclusion

The proposed revisions to the Operational Guidelines represent an important step towards ensuring that the 2005 Convention remains relevant in the digital age. Strengthening protections for human creativity, ensuring fair remuneration for creators and promoting transparency and accountability in digital systems are essential to safeguarding cultural diversity worldwide.

For these reasons, it is crucial that the final Operational Guidelines continue to place human creativity, authors' rights and cultural diversity at the centre of digital transformation.

IAF remains available to contribute further to this process and to share its experience in protecting and promoting authors' rights and cultural diversity worldwide.