

(English version)

Question for written answer E-002792/25
to the Commission
Markus Buchheit (ESN)
(9 July 2025)

Subject: Is the Commission strangling European innovation in artificial intelligence?

The Commission has launched a so-called ‘Code of Conduct’ for companies developing artificial intelligence systems. Although formally voluntary, it is accompanied by significant regulatory pressure. Technology companies and rights holders have voiced serious concerns that such guidelines risk stifling innovation, undermining Europe’s global competitiveness, and imposing disproportionate burdens compared to non-EU competitors, particularly in the United States and China. There is also growing fear that ‘trustworthy AI’ may become a pretext for ideological filtering or even political censorship. Is the Commission constructing a bureaucratic straitjacket for European innovators in the name of ethics?

1. How will the Commission ensure that the proposed AI Code of Conduct will not serve as a tool for ideological enforcement or political censorship of generative models?
2. What safeguards has the Commission implemented to prevent the code from placing excessive compliance burdens on EU-based companies, thereby weakening their position vis-à-vis competitors from outside the EU operating under more-flexible frameworks?
3. How does the Commission intend to strike a balance between protecting copyright holders and allowing the development of competitive AI systems, given that excessive restrictions on training data may significantly hinder technological advances in the EU?

Submitted: 9.7.2025

Answer given by Executive Vice-President Virkkunen on behalf of the European Commission
(29 August 2025)

The General-Purpose AI (GPAI) Code of Practice sets out how signatories intend to ensure compliance with the rules applicable to providers of general-purpose AI models, laid down in the Artificial Intelligence (AI) Act, ⁽¹⁾ whose purpose is to ensure the safety of large AI models placed on the EU market.

Adherence to the GPAI Code is voluntary. Since the AI Act applies to all providers placing their GPAI models on the EU market, irrespective of where they are based, the Code will apply to signatories based both inside and outside the EU. It therefore cannot be said to disadvantage or place excessive compliance burdens on EU-based companies.

The GPAI Code was drawn up by independent experts in a multi-stakeholder process, with input from over 1,000 stakeholders, and facilitated by the Commission’s AI Office. The Commission will regularly monitor and evaluate whether the GPAI Code is fit for purpose.

In the EU, AI training can be carried out on the basis of the text and data mining (TDM) exceptions to copyright established in the Digital Single Market (DSM) Directive, as implemented in the national laws of the Member States ⁽²⁾.

At the same time, the DSM Directive allows rightsholders to reserve their rights for TDM purposes. The AI Act supports the effective application of the TDM exception.

Notably, the Commission has recently published a template that, as provided for by the AI Act, GPAI providers must use to summarise the content used to train their GPAI model, thus providing meaningful transparency.

The template was designed in a way that respects the providers’ trade secrets. In parallel, as set out in the AI Continent Action Plan, the Commission is stepping up efforts to ensure access to high-quality to data for AI innovators, e.g. through data labs within AI factories.

⁽¹⁾ 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), OJ L, 2024/1689, 12.7.2024.

⁽²⁾ 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 (Text with EEA relevance.), OJ L 130, 17.5.2019, pp. 92-125.