Forum:	General Assembly Third Committee
Issue:	The Question of Copyright Legislation in the Age of Generative Artificial Intelligence
Student Officer:	Upasana Samantray
Position:	Chair of General Assembly Third Committee

Introduction

Copyright laws in the age of generative artificial intelligence (AI) have become one of the most complex and quickly evolving challenges facing the global community. Over the past decade, generative AI technologies have developed at an unprecedented rate. These systems can now produce written texts, images, music, and even software code that resemble human creativity. As a result, traditional ideas about authorship, originality, and intellectual property are being increasingly challenged.[1]

At the core of this issue is the fact that current copyright laws were designed for a world in which creative works were produced only by humans. Generative AI systems, however, are trained on massive datasets that often include millions of copyrighted works, many of which are collected from the internet without the permission or compensation of the original creators. This has raised serious concerns among artists, writers, musicians, journalists, and other creative professionals, who fear that their work is being used in ways that threaten their rights.[2]

The impact of this issue goes far beyond individual creators. Governments and international organisations now face the difficult task of regulating a technology that offers enormous benefits while also posing significant risks. Generative AI has the potential to boost productivity, expand

[1] Jim Holloway, Milton Cheng, and Julia S. Dickenson, "Will Copyright Law Enable or Inhibit Generative AI?," World Economic Forum, January 13, 2024, accessed January 14, 2026, www.weforum.org.

[2] Joshua S. Gans, "Copyright Policy Options for Generative Artificial Intelligence," NBER Working Paper 32106, National Bureau of Economic Research, February 2024, accessed January 14, 2026, www.nber.org.

access to creative tools, and support economic growth. However, the lack of clear and consistent copyright rules has created widespread legal uncertainty. Different countries are adopting different regulatory approaches, leading to a fragmented global framework that complicates enforcement and international cooperation.[3]

At the same time, the rapid commercial growth of generative AI has increased conflict between technology companies and rights holders. Key questions such as who owns AI generated content, whether training AI systems on copyrighted material is legal, and how existing rules like fair use should be applied - remain unanswered. These uncertainties have already led to legal disputes and growing calls for reform, showing the urgent need for international discussion.

As generative AI becomes a bigger part of creative industries, education, and everyday life, it's clear that we need a fair and forward-thinking approach to copyright law. The challenge is to protect the rights of creators while still encouraging innovation and making sure people have access to these new technologies. Finding this balance is crucial to support creativity without holding back the benefits AI can bring. That's why copyright in the age of generative AI is such an important legal, economic, and ethical issue - one that requires careful thought, open discussion, and collaboration within this committee.[4]

[3] Adam Buick, "Copyright and AI Training Data—Transparency to the Rescue?," *Journal of Intellectual Property Law & Practice* 20, no. 3 (March 2025): 182, accessed January 14, 2026, https://doi.org/10.1093/jiplp/jpae102.

[4] Jon Polenberg, "Generative AI vs. Copyright: The Fight for the Future of Creativity," The AI Innovator, July 22, 2025, accessed January 14, 2026, https://theaiinnovator.com/generative-ai-vs-copyright-the-fight-for-the-future-of-creativity/.

Definition of Key Terms

Generative Artificial Intelligence (Generative AI)

Generative Artificial Intelligence refers to a type of AI system designed to create new content, rather than just analysing or organizing existing data. These systems can produce text, images, audio, video, and other creative outputs by learning patterns from large datasets. Examples include large language models, image generators, and music composition tools. In the context of copyright, generative AI raises important questions about who owns the content it produces and whether that content can be considered truly original.[5]

Copyright Legislation

Copyright is a type of intellectual property that protects creators of original works, such as books, music, art, and films. It gives the creator or rights holder the exclusive right to reproduce, distribute, display, and adapt their work for a set period of time. Copyright laws usually apply within individual countries.[6]

Intellectual Property (IP)

Intellectual Property is a broad legal concept surrounding creations of the human mind, including inventions, literary and artistic works, designs, symbols, and trademarks. Copyright is one form of intellectual property, alongside others such as patents and trademarks. The protection of intellectual property is intended to encourage innovation while ensuring fair recognition and compensation for creators.[7]

Authorship

Authorship refers to the legal recognition of an individual or entity as the creator of a work. Traditionally, copyright law has recognised only humans as authors. The rise of generative AI challenges this concept, as questions arise over whether authorship should be attributed to

[5] Cole Stryker and Eda Kavlakoglu, “What Is Artificial Intelligence (AI)?,” IBM, accessed January 14, 2026, www.ibm.com.

[6] U.S. Copyright Office, “What Is Copyright?,” accessed January 14, 2026, https://www.copyright.gov/what-is-copyright/.

[7] World Intellectual Property Organization, “What Is Intellectual Property?,” accessed January 14, 2026, https://www.wipo.int/en/web/about-ip.

the user of the AI, the developer of the system, or whether AI generated works should be excluded from copyright protection altogether.[8]

Training Data

Training data refers to the large collections of text, images, audio, or other materials used to teach generative AI systems how to recognise patterns and produce outputs. These datasets may include copyrighted works, raising concerns about consent, compensation, and potential infringement when such data is used without authorisation.[9]

Fair Use / Copyright Exceptions and Limitations

Fair use, or similar exceptions and limitations depending on jurisdiction, allows copyrighted material to be used without permission under certain conditions, such as for research and education.[10]

AI Generated Content

AI generated content is any material created entirely or partly by a generative AI system. This can include text, images, music, and other outputs made in response to user prompts.[11]

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[8] Mackenzie Caldwell, "What Is an 'Author'?—Copyright Authorship of AI Art Through a Philosophical Lens," *Houston Law Review*, December 11, 2023, accessed January 14, 2026, https://houstonlawreview.org/article/92132-what-is-an-author-copyright-authorship-of-ai-art-through-a-philosophical-lens.

[9] IBM, "What Is Training Data?," accessed January 14, 2026, www.ibm.com.

[10] Copyright Alliance, "Fair Use Exception to Copyright," accessed January 14, 2026, https://copyrightalliance.org/education/copyright-law-explained/limitations-on-a-copyright-owners-rights/fair-use-exceptions-copyright/.

[11] IBM, "What Is AI-Generated Content?," accessed January 14, 2026, https://www.ibm.com/think/insights/ai-generated-content.

Explanation of the Question

The question of copyright legislation in the age of generative artificial intelligence is about whether existing laws can survive a technology that is changing how creativity itself works. Copyright was built on a simple idea: humans create, and the law protects what they make. Generative AI breaks that assumption by producing content that looks and feels human-made, even though no human actually created it in the traditional sense.

One major issue is ownership. When an AI generates a piece of writing, an image, or a song, it is unclear who should legally control it. Is it the user who typed the prompt, the company that built the AI, or no one at all? Current copyright laws do not give clear answers, creating legal grey areas that affect businesses, creators, and governments. Another serious concern is how AI systems are trained. Generative AI relies on massive amounts of data, much of it copyrighted. Artists, writers, and musicians argue that their work is being used without permission or payment, while tech companies claim this process is necessary and does not directly copy or replace the original works.

The problem is made even harder by the global nature of AI. Copyright laws differ from country to country, but AI systems operate across borders. Without shared international rules, enforcement becomes difficult, and creators in some regions may be left unprotected while companies take advantage of weaker regulations elsewhere.

At its core, this question asks how the world can protect human creativity without stopping technological progress. Lawmakers must decide whether copyright should be rewritten, expanded, or limited to deal with generative AI. The choices made now will shape the future of creative industries, innovation, and the balance of power between creators and technology companies.

Key Members States and NGOs Involved and Their Views

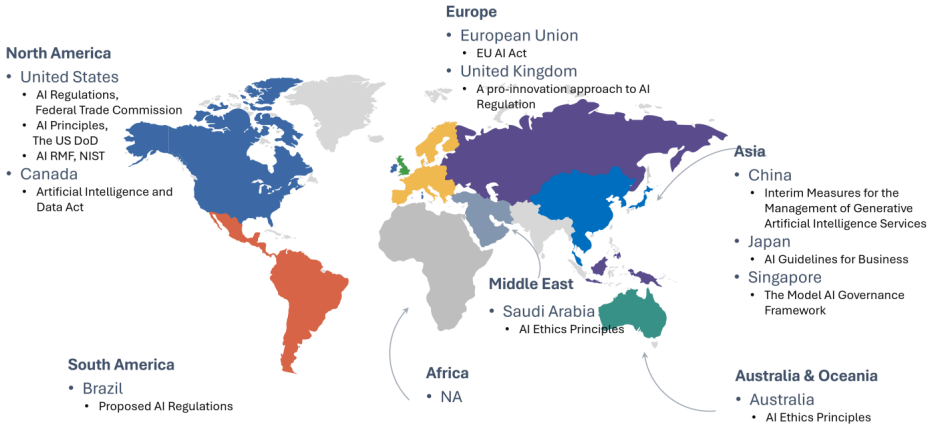

Diagram depicting the scope of legislation in various regions[12]

United States of America

The United States deals with copyright and AI mainly through existing copyright laws and court decisions, rather than new, AI-specific legislation. Under US copyright law, only works created by humans can be protected. The US Copyright Office has clearly stated that works made entirely by AI, without meaningful human input, cannot be registered for copyright protection.[13]

The US is one of the largest users and developers of AI in the world. It is home to many of the world's leading AI companies, and over 80% of large US businesses use AI tools for commercial purposes such as data analysis, marketing, and content creation.[14] Despite this high level of AI use, there are no clear legal rules on whether copyrighted works can be used to train

[12] Data Crossroads datacrossroads.nl

[13] Congressional Research Service, "Generative Artificial Intelligence and Copyright Law," Legal Sidebar LSB10922, July 18, 2025, accessed January 14, 2026, https://www.congress.gov/crs-product/LSB10922.

[14] Gartner, "Gartner Says More Than 80% of Enterprises Will Have Used Generative AI APIs or Deployed Generative AI-Enabled Applications by 2026," October 11, 2023, accessed January 14, 2026, https://www.gartner.com/en/newsroom/press-releases/2023-10-11-gartner-says-more-than-80-percent-of-enterprises-will-have-used-generative-ai-apis-or-deployed-generative-ai-enabled-applications-by-2026.

AI systems. AI companies argue that training AI on copyrighted material is a fair use because it is transformative and does not replace the original works. In contrast, authors, artists, and publishers argue that using their work without permission or payment causes economic harm. [15]

Several ongoing lawsuits, especially involving writers, artists, and music publishers against AI companies, show that the law in this area is still uncertain. Courts have not yet given a final answer on whether AI training counts as fair use. The US government has generally taken a light-touch approach, focusing on encouraging innovation, economic growth, and global leadership in AI, rather than placing strict limits on AI development. This has resulted in a flexible but uncertain legal environment for copyright in the age of generative AI.

European Union (EU)

The European Union has taken a strong and detailed approach to regulating generative AI, especially through the EU Artificial Intelligence Act (AI Act). The AI Act is the first comprehensive AI law in the world and was adopted in 2024, with many key rules becoming legally binding between 2025 and 2026. Under this law, AI systems are classified by risk levels, and generative AI falls under general-purpose AI (GPAI) rules that require transparency and accountability.[16] For example, providers of generative AI must clearly disclose that content was created by AI, design systems to prevent generation of illegal content, and publish summaries of the copyrighted data used for training their models. They must also prepare detailed technical documentation and summaries of training data, which helps both regulators and rights holders understand how AI models were built and what data they used. These transparency obligations will apply fully starting in August 2026, and non-compliance can lead to significant fines - up to tens of millions of euros or a percentage of global revenue for serious breaches. The AI Act also includes broader requirements such as human oversight, risk management, and cybersecurity standards for AI systems. This regulatory approach reflects the EU's broader commitment to

[15] Blake Brittain, "AI Copyright Battles Enter Pivotal Year as US Courts Weigh Fair Use," *Reuters*, January 5, 2026, accessed January 14, 2026, https://www.reuters.com/legal/government/ai-copyright-battles-enter-pivotal-year-us-courts-weigh-fair-use-2026-01-05/.

[16] European Commission, "Timeline for the Implementation of the EU AI Act," AI Act Service Desk, accessed January 14, 2026, https://ai-act-service-desk.ec.europa.eu/en/ai-act/timeline/timeline-implementation-eu-ai-act.

protecting fundamental rights, consumer transparency, and cultural and copyright protections while attempting to balance innovation and legal certainty across member states.[17]

United Kingdom

Initially, the UK government proposed expanding copyright exceptions to allow wider use of copyrighted material for AI training without permission or payment.[18] This proposal aimed to attract AI investment and position the UK as a global AI hub. The UK is already a major AI market, with over 3,700 AI companies and an estimated £3.7 billion annual contribution from AI to the economy, which influenced the government's pro-innovation approach.[19]

However, the proposal faced strong opposition from authors, musicians, publishers, and cultural institutions, particularly from the UK's creative industries, which contribute over £120 billion per year to the economy.[20] Creators argued that removing licensing requirements would weaken copyright protection and allow AI companies to benefit from creative works without fair compensation. In response to this backlash, the government paused the proposed reforms and launched further public consultations.

The UK's current position reflects a careful balance between supporting AI innovation and protecting its globally important creative sectors. Rather than broad copyright exceptions, the government is now focusing on licensing-based solutions, transparency requirements, and voluntary agreements between rights holders and AI developers. This approach aims to support technological growth while ensuring that creators continue to be protected and fairly paid.

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[17] European Commission, "AI Act," Shaping Europe's Digital Future, accessed January 14, 2026, https://digital-strategy.ec.europa.eu/en/policies/regulatory-framework-ai.

[18] Edward Scott, "Copyright and Artificial Intelligence: Impact on Creative Industries," House of Lords Library, January 27, 2025, accessed January 14, 2026, https://lordslibrary.parliament.uk/copyright-and-artificial-intelligence-impact-on-creative-industries/.

[19] GOV.UK, "Artificial Intelligence," Grow Your Business in the UK, accessed January 14, 2026, https://www.business.gov.uk/campaign/grow-your-business-in-the-uk/artificial-intelligence/.

[20] SOA Policy Team, "UK Creative Industries Launch Copyright Fightback against Global Tech Firms' AI Models," Society of Authors, February 25, 2025, accessed January 14, 2026, https://societyofauthors.org/2025/02/25/uk-creative-industries-launch-copyright-fightback-against-global-tech-firms-ai-models/.

People's Republic of China

China views generative artificial intelligence mainly through the lens of state control, technological independence, and social stability. While copyright law is still relevant, China has focused more on regulating AI providers and their outputs than on changing rules about authorship. Chinese regulations require AI generated content to follow state standards, including labelling AI generated works and establishing accountability for developers if content violates laws. Copyright compliance is generally the responsibility of AI service providers, not end users. The government strongly encourages AI development for economic growth and innovation, and supports rapid deployment of AI technologies under centralized oversight.[21]

China is one of the largest AI markets in the world, with over 1,500 AI companies in Beijing alone and an estimated US$22 billion investment in AI in 2025.[22] [23] Generative AI tools, including text, image, and code generators, are widely used in education, business, and government services. The regulatory approach prioritizes national innovation goals, social stability, and state supervision over individual creators rights.[24]

Japan

Japan has adopted one of the most flexible approaches to copyright and AI training among major economies. Its copyright law allows copyrighted works to be used for data analysis and AI training, whether for commercial or non-commercial purposes, as long as the use is not intended for direct enjoyment of the original content. This reflects Japan's focus on

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[21] Liang Ding, "China's Regulation of Artificial Intelligence – Progress and Challenges," International Bar Association, December 4, 2025, accessed January 14, 2026, https://www.ibanet.org/China-Regulation-of-Artificial-Intelligence-Progress-and-Challenges.

[22] Sylvia Ma, "Shenzhen Lays Down Marker for Tech Investment with US$22 Billion Pledge," *South China Morning Post*, February 25, 2025, accessed January 14, 2026, https://www.scmp.com/economy/china-economy/article/3300070/shenzhen-lays-down-marker-tech-investment-us22-billion-pledge.

[23] Beijing Municipal Government, "Beijing Ranks First Nationwide in Both AI Model Registration and Industrial Application," January 9, 2026, accessed January 14, 2026, english.beijing.gov.cn.

[24] Lauren Hurcombe and Amanda Ge, "Through the Lens of China – Copyrightability, Ownership and Liability of Generative AI Output," DLA Piper, accessed January 14, 2026, www.vcclawservices.com.

technological innovation and global competitiveness, as policymakers believe that strict licensing rules could slow down AI research and development.[25]

Despite this flexible approach, Japan still requires human authorship for copyright protection. Works created entirely by AI are generally not protected unless there is significant human creative input. Japan is also a major AI adopter, with large companies using AI in 2025, mainly for automation, data analysis, and generative applications in technology and design. This combination of flexible AI training rules and protection of human authors allows Japan to encourage innovation while still recognizing and rewarding human creators.[26]

Timeline [27] [28]

Date	Description of Event
9 September, 1886	Berne Convention for the Protection of Literary and Artistic Works is adopted, establishing international copyright protection based on human authorship.
15 April, 1994	Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) enters into force, further globalising copyright standards under the World Trade Organization.
Early 2000s	Expansion of the internet leads to major copyright debates over digital copying.

[25] Seth Hays, "AI Training and Copyright Infringement: Solutions from Asia," Tech Policy Press, October 30, 2024, accessed January 14, 2026, https://www.techpolicy.press/ai-training-and-copyright-infringement-solutions-from-asia/.

[26] Kensuke Inoue, "Japan's Emerging Framework for Responsible AI: Legislation, Guidelines and Guidance," International Bar Association, July 16, 2025, accessed January 14, 2026, https://www.ibanet.org/japan-emerging-framework-ai-legislation-guidelines.

[27] World Intellectual Property Organization. "WIPO Conversation on Intellectual Property (IP) and Frontier Technologies." Accessed January 14, 2026. https://www.wipo.int/en/web/frontier-technologies/artificial-intelligence/conversation.

[28] European Parliament. "Generative AI and Copyright." July 13, 2023. Accessed January 14, 2026. https://www.europarl.europa.eu/RegData/etudes/STUD/2025/774095/IUST_STU(2025)774095_EN.pdf.

2012	Breakthroughs in deep learning have significantly enhanced machine learning capabilities, providing the foundation for modern generative AI systems
2014	Early AI programs capable of generating music and visual art are publicly demonstrated, raising initial questions about machine creativity.
26 March, 2018	The European Union adopts the Copyright in the Digital Single Market Directive, introducing text-and-data mining exceptions relevant to AI training.
September, 2019	The World Intellectual Property Organization launches international consultations on artificial intelligence and intellectual property policy.
2020	Large language models capable of producing coherent long-form text are released, increasing commercial interest in generative AI.
30 August, 2021	The US Copyright Office formally states that works created without human authorship are not eligible for copyright protection.
November, 2022	Public release of widely accessible generative AI tools leads to mass adoption and heightened concerns over copyrighted training data.
January, 2023	Multiple lawsuits are filed by artists and authors alleging unauthorised use of copyrighted works in AI training datasets.
14 June, 2023	European Parliament advances negotiations on the EU AI Act, including transparency obligations for generative AI systems.

October, 2023	Several governments announce national AI strategies addressing copyright, transparency, and creator protections.

UN Involvement, Relevant Resolutions, Treaties and Events

Berne Convention for the Protection of Literary and Artistic Works (1886):

The Berne Convention, administered by the World Intellectual Property Organization (WIPO), is one of the main international agreements on copyright law. It sets basic rules for protecting original literary and artistic works and requires that protection be given automatically, without formal registration. In the age of generative artificial intelligence, the Berne Convention is important because it raises questions about whether AI generated content can be protected by copyright and whether a human creator is required for a work to qualify for protection.[29]

WIPO Copyright Treaty (WCT, 1996):

The WIPO Copyright Treaty updates copyright rules for the digital environment, including online distribution and digital copying of works. This treaty is relevant to generative AI because AI systems often use large amounts of digital content during training. It helps guide discussions on whether copying copyrighted material for AI training is allowed and how authors' rights should be protected in the digital age.[30]

Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS, 1995):

The TRIPS Agreement sets minimum standards for copyright protection that all World Trade Organization member states must follow. In relation to generative AI, TRIPS limits how countries can change their copyright laws. Any exceptions created for AI training or data use must still respect international copyright obligations under this agreement. [31]

[29] World Intellectual Property Organization. "WIPO Copyright Treaty (WCT)." December 20, 1996. Accessed January 14, 2026. www.wipo.int.

[30] World Trade Organization. "Agreement on Trade-Related Aspects of Intellectual Property Rights." April 15, 1994. Accessed January 14, 2026. www.wto.org.

[31] United Nations. "Universal Declaration of Human Rights." December 10, 1948. Accessed January 14, 2026. www.un.org.

Universal Declaration of Human Rights (UDHR, Article 27):

Article 27 of the UDHR recognizes the right of people to take part in cultural life and the right of authors to benefit from and protect their creative work. In the context of generative AI, this article is used to balance public access to AI-generated content with the need to protect human creators from having their work used without permission or payment. [32]

International Covenant on Economic, Social and Cultural Rights (ICESCR, Article 15):

Article 15 of the ICESCR requires states to protect the moral and material interests of authors. This is relevant to generative AI because creators may lose income or recognition if their works are used to train AI systems without consent. The covenant supports the idea that creators should be fairly protected even as new technologies develop. [33]

UNESCO Recommendation on the Ethics of Artificial Intelligence (2021):

This recommendation, adopted by UNESCO, provides guidance on how artificial intelligence should be developed and used responsibly. It stresses the importance of transparency, respect for intellectual property, and protection of cultural diversity. In relation to generative AI, it encourages fair treatment and compensation for creators whose works may be used by AI systems. [34]

UN General Assembly Resolutions on Artificial Intelligence (2023 - present):

Recent UN General Assembly resolutions focus on promoting safe, responsible, and human-centered artificial intelligence. Although these resolutions are not legally binding, they influence global discussions on copyright and AI by emphasizing human rights, fairness, and accountability in the use of AI technologies. [35]

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[32] United Nations. “Universal Declaration of Human Rights.” December 10, 1948. Accessed January 14, 2026. www.un.org.

[33] United Nations Office of the High Commissioner for Human Rights. “International Covenant on Economic, Social and Cultural Rights.” December 16, 1966. Accessed January 14, 2026. www.ohchr.org.

[34] UNESCO. “Recommendation on the Ethics of Artificial Intelligence.” November 23, 2021. Accessed January 14, 2026. unesdoc.unesco.org.

[35] United Nations General Assembly. “Resolution 78/311: Seizing the Opportunities of Safe, Secure and Trustworthy Artificial Intelligence Systems for Sustainable Development.” March 21, 2024. Accessed January 14, 2026. undocs.org.

Possible Solutions

1. Licensing Agreements and Compensation Models

One widely discussed solution is the creation of formal licensing agreements between AI developers and copyright holders. Under such a system, companies would need to obtain permission before using copyrighted works for training their AI models. These licenses could include royalty payments or revenue-sharing arrangements, ensuring that creators such as authors, musicians, and visual artists are fairly compensated for the use of their work. Licensing agreements could also be standardized across industries, making it easier for AI companies to access large datasets legally. This encourages innovation while maintaining motivation for creative production.

2. Expanded or Updated Copyright Laws

Another key solution is to update national copyright laws to explicitly address generative AI. Current copyright frameworks were built around the idea that humans create works, which leaves AI generated content in a legal grey area. Updated laws could define ownership of AI generated works, specifying whether the legal rights belong to the AI developer, the user providing input prompts, or some form of shared ownership.

3. Transparency and Accountability Requirements

Transparency is another critical tool. AI systems could be legally required to label outputs as AI generated and provide summaries of the training data used. This allows creators to know if their works have been included and helps users distinguish between human and AI-generated content. Developers could also be required to maintain detailed technical documentation, including how copyrighted materials were used in model training.

4. International Cooperation and Standards

Generative AI is inherently global, often using content from multiple countries and reaching international audiences. As a result, a single country's laws cannot fully regulate AI training and output. International cooperation, through organizations like WIPO or UN bodies, could establish shared standards for AI and copyright, including licensing requirements, transparency, and ownership rules. Global treaties or agreements would help enforce creator

rights across borders and prevent companies from taking advantage of weaker copyright laws in some regions. For example, international frameworks could require that AI developers pay royalties or report training datasets consistently, ensuring equitable treatment of creators worldwide and fostering trust in cross-border AI applications.

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