AI NEEDS JOURNALISM.

JOURNALISM NEEDS A FAIR MARKET.

A fair market gives citizens access to diverse journalism.

2026

14 organisations. 8 countries. 1 common position.

Nordic-Baltic Position on Copyright & AI

In Declaration on the necessity of culture and media as a safeguard for our European democracies the ministers from Denmark, Estonia, Finland, Iceland, Latvia, Lithuania, Norway, Sweden - among others - stress the importance of free, independent and diverse media as our best source of trustworthy, accurate, and reliable information. Such media are essential for fostering a thriving civic sphere and for safeguarding our democracy and fundamental rights and freedoms.

Today, rightsholders face the burdens and risks in the global AI-race. Global technology and AI companies operate without restraint. This unfair competition has irreversible consequences.

The core problem is not a lack of European legislation, but rather that our existing rules are insufficiently respected and enforced. We must therefore return to the foundational principles of intellectual property right – and regain control to the rightsholders over the journalistic content and other professional content. Any commercial exploitation of such content requires an agreement.

Strengthening innovation and competitiveness requires creating a fair market for individual and collective licensing, ensuring a sustainable and diverse, trust-based information ecosystem for our citizens and democratic societies. We suggest three concrete European actions:

01 **Consent-based agreements; opt-in**

02 **Transparency through a reversed burden of proof**

03 **Strengthening enforcement and dispute resolution**

01

Consent-based agreements; opt-in

Commercial AI scraping was never intended to be in the scope of Art. 4 of the Digital Single Market Copyright Directive. Commercial scraping requires consent from the rightsholders. However, global AI companies are scraping without consent and do not respect rights-reservations. AI companies must bear responsibility for respecting copyright law and enter into agreements, if they want to exploit journalism and other copyright content.

02

Transparency through a reversed burden of proof

Effective transparency requires that global AI companies provide information on what has been used for training in sufficient detail. In case the global AI company rejects transparency and relevant datasets are not made available to the relevant rightsholders, a rule of reversed burden of proof should apply - establishing that copyright works are used for training, inference, or Retrieval-Augmented Generation (RAG).

03

Strengthening enforcement and dispute resolution

Press publishers have been granted a neighbouring right, but negotiations have not produced a fair outcome. Therefore, an arbitration mechanism or another effective dispute-resolution mechanism for conflicts between global technology companies and AI providers and publishers should be explored and implemented in European or national law. As the rightsholders must control own investments, the arbitration cannot require a publisher to enter into an agreement. It can only decide on remuneration and related terms.

Organisations

This joint Nordic-Baltic position on copyright and AI is endorsed by the following organisations:

Baltic Press Publishers' Collective Management Organisation

Danish Media Association

Danish Press Publishers' Collective Management Organisation

Danish Union of Journalists

Estonian Media Enterprises Association

Icelandic Union of Journalists

Norwegian Media Businesses' Association

Norwegian Union of Journalists

Swedish Magazine Publishers Association

Swedish Union of Journalists

Swedish Press Publishers' Collective Management Organisation

The Swedish Media Publishers' Association

The Finnish Media Federation

The Union of Journalists in Finland

