



UNIVERSITEIT VAN AMSTERDAM  
Instituut voor Informatierecht



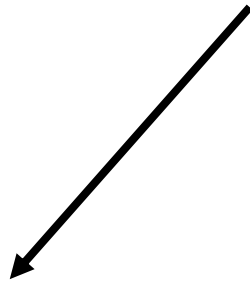
Annual ECS Conference, Nottingham

# **Towards an AI Levy for Human Work Substitution**

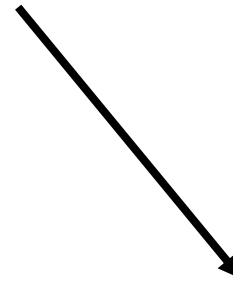
Prof. Martin Senftleben, 27 May 2022

## Future scenario

Human creative choices  
traceable in AI output



Hugenholtz and  
Quintais, *IIC* 52  
(2021), 1190



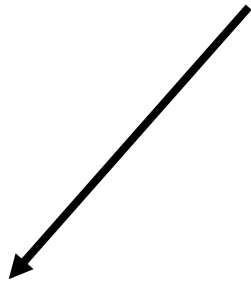
Burk, *Houston  
Law Review* 58  
(2020), 263

## But what if...

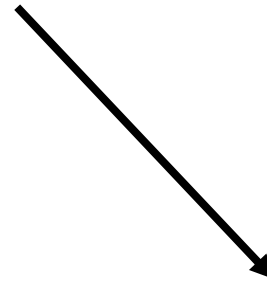
- AI systems and products get more and more sophisticated?
  - mass-scale human work substitution may become a reality rather sooner than later
    - lower production costs
    - faster production time
  - humans hardly able to compete: erosion of the market for human productions
- = dethroning of the human author

## Why should we care?

...not the first automization process  
disrupting the labour market



comparable  
products at lower  
prices



workforce will  
find different  
employment



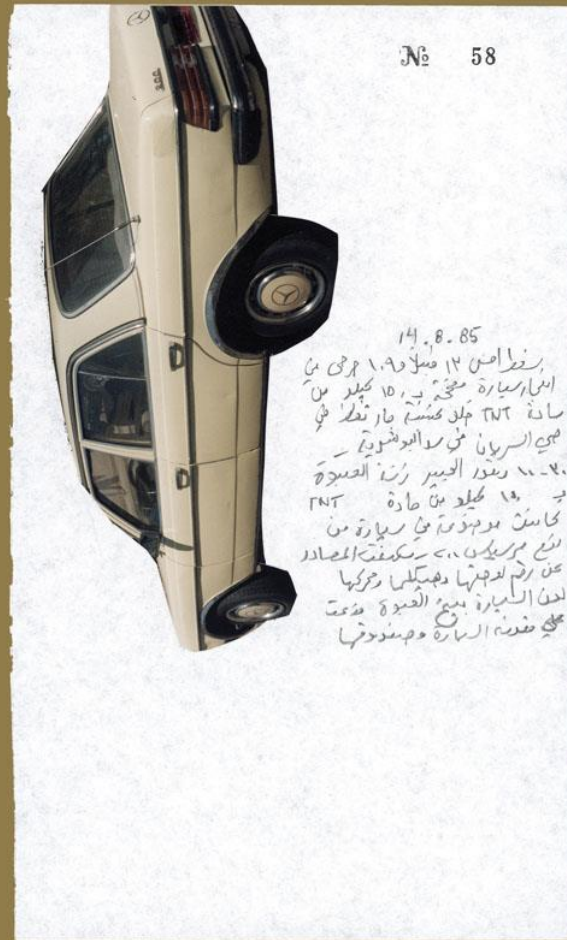
But this is different...



# Fundamental societal question



# Fundamental societal question



ANYWHERE OR NOT AT ALL  
 PHILOSOPHY OF CONTEMPORARY ART  
 PETER OSBORNE

## Loss of visions for a better society

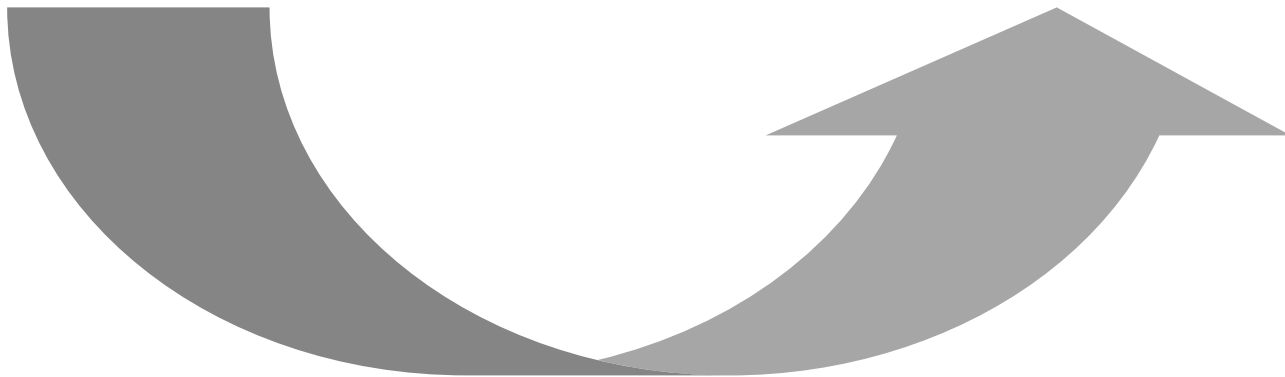
- machine-generated reflection of source material = endless repetition of existing expression
- lack of impulses to change unsatisfactory conditions
- critical impetus *ex machina*?
  - **NO**, because machine does not experience and suffer societal conditions
  - even if **YES**, machine still had no template for new solutions



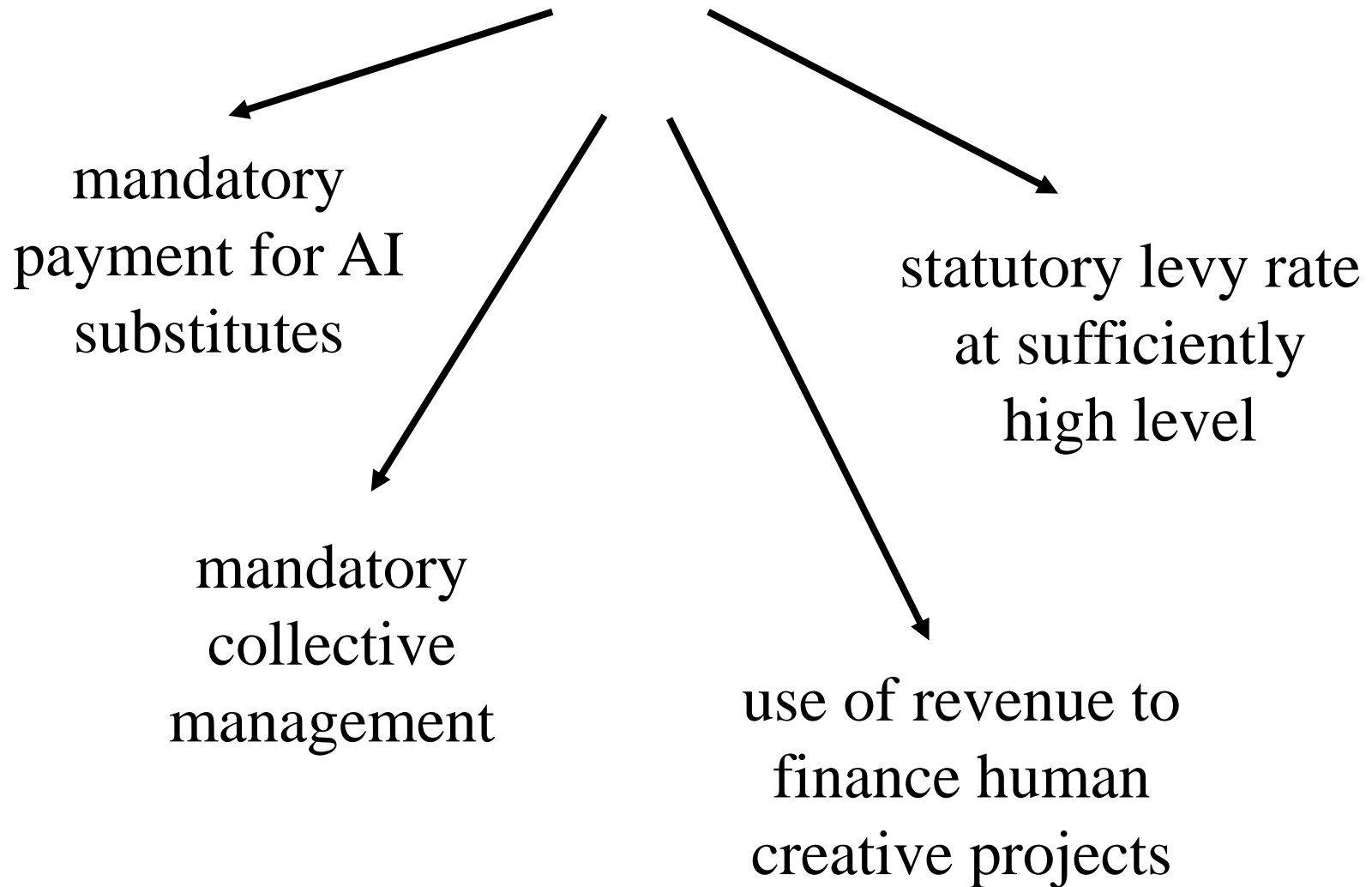
## Change of the copyright/AI discourse

from © as  
an incentive or  
reward scheme

to © as  
a vehicle to  
increase the price  
of AI products



## Practical ingredients



## Template: Article 8(2) RLRD

‘Member States shall provide a right in order to ensure that a **single equitable remuneration** is paid by the user, if a literary and artistic product **generated by an AI system**, is used as a **substitute for a work** made by a human author, and to ensure that this remuneration is paid to **cultural funds of collective management organisations** for the purpose of fostering and supporting human literary and artistic productions.’



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The background of the slide is a photograph of the University of Amsterdam. On the left is a traditional brick building with many windows. In the center is a modern building with a dark facade and many rectangular windows. A tall, white, rectangular tower stands between the two buildings, topped with the university's logo. On the right is a large, leafy green tree. In the foreground, there are green umbrellas and people sitting at outdoor tables.

**The End. Thank you!**

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