



2025/1689(COD)

4.2.2026

DRAFT OPINION

of the Committee on Culture and Education

for the Committee on the Internal Market and Consumer Protection and the
Committee on Civil Liberties, Justice and Home Affairs

on the proposal for a regulation of the European Parliament and of the Council
amending Regulations (EU) 2024/1689 and (EU) 2018/1139 as regards the
simplification of the implementation of harmonised rules on artificial
intelligence (Digital Omnibus on AI)
(COM(2025)0836 – C10-0304/2025 – 2025/0359(COD))

Rapporteur for opinion: Emma Rafowicz

PA_Legam

SHORT JUSTIFICATION

The Commission's proposal for a Regulation amending Regulations (EU) 2024/1689 and (EU) 2018/1139 as regards the simplification of the implementation of harmonised rules on artificial intelligence (Digital Omnibus on AI), introduces targeted adjustments intended to ensure the smooth and effective application of the AI Act. The proposal seeks to address practical aspects related to the implementation of certain provisions, including by streamlining compliance, reducing unnecessary administrative burden, and clarifying specific governance and implementation arrangements, while preserving the objectives of the original Regulation.

The Rapporteur takes note of the Commission's amending proposal and of its aim to facilitate the effective application of the AI Act. At the same time, the Rapporteur considers that some of the proposed changes risk weakening elements that are central to the safe, responsible and trustworthy use of AI. The amendments tabled therefore seek to preserve the balance established by the AI Act between legal certainty, the protection of fundamental interests, in particular in the fields of education, culture and innovation.

In particular, the Rapporteur does not support the proposed modification of Article 4 on AI literacy. The AI Act currently places a direct obligation on providers and deployers of AI systems to take appropriate measures to ensure a sufficient level of AI literacy among their staff and other persons dealing with the operation and use of AI systems on their behalf. The Rapporteur considers that this obligation remains necessary, as AI literacy within organisations is a prerequisite for the responsible deployment and use of AI systems. The amendments therefore delete the proposed changes to Article 4 and maintain the original obligation on providers and deployers, with corresponding adjustments to Recital 5.

The amendments further clarify the importance of AI literacy more broadly, including through education, training and awareness-raising, as a complementary element supporting informed use of AI. The Rapporteur, through her inputs, also clarifies what qualifies for a sufficient level of AI literacy as it is not characterised in the proposal. In addition, with regard to the marking of AI-generated content or content manipulated by AI systems, the amendments clarify that information provided for this purpose should be presented in a clear and understandable manner to users, in particular when such content is used or disseminated for educational and cultural purposes.

Finally, while recognising the role of codes of practice in supporting compliance with the AI Act, the Rapporteur considers it essential that codes of practice continue to be formally approved through implementing acts, in order to ensure legal certainty, transparency and appropriate institutional oversight.

AMENDMENTS

The Committee on Culture and Education submits the following to the Committee on the Internal Market and Consumer Protection and the Committee on Civil Liberties, Justice and Home Affairs, as the committees responsible:

Amendment 1

Proposal for a regulation Recital 2 a (new)

Text proposed by the Commission

Amendment

(2a) Effective implementation of Regulation (EU) 2024/1689 requires that the adjustments introduced to facilitate its application in practice do not reduce the clarity and accessibility of the regulatory framework for those required to apply it. In particular, where the Regulation is applied in the fields of education, culture and media, a clear understanding of the obligations and safeguards related to the use of AI systems remains essential to ensure its effective and consistent application, with a particular attention given to rightholders from the cultural and creative sectors. The measures introduced to support timely and proportionate compliance with this Regulation should therefore continue to support clarity and accessibility of its requirements, thereby contributing to informed use of AI systems and trust in their deployment.

Or. en

Amendment 2

Proposal for a regulation Recital 3

Text proposed by the Commission

Amendment

(3) Consequently, targeted amendments to Regulation (EU) 2024/1689 are necessary to address certain implementation challenges, with a view to the effective application of the relevant rules.

(3) Consequently, targeted amendments to Regulation (EU) 2024/1689 are necessary to address certain implementation challenges, with a view to the effective application of the relevant rules. ***As AI systems are increasingly used in education and in the cultural and creative sectors, their deployment might raise specific considerations linked to learning processes, cultural expression***

and media pluralism. When applying this Regulation, particular attention should therefore be paid to these sectors in order to support informed use of AI and maintain trust in its deployment.

Or. en

Amendment 3

Proposal for a regulation

Recital 5

Text proposed by the Commission

(5) Article 4 of Regulation (EU) 2024/1689 *currently* imposes an obligation on *all* providers and deployers of AI systems to ensure *AI literacy of their staff. AI literacy development starting from education and training and continuing in a lifelong learning manner is crucial to equip providers, deployers and other affected persons with the necessary notions to make informed decisions regarding AI systems deployment. However, experience shared by stakeholders reveals that a one-size-fits-all solution is not suitable for all types of providers and deployers in relation to the promotion of AI literacy, rendering such a horizontal obligation ineffective in achieving the objective pursued by this provision. Moreover, data indicate that imposing such an obligation creates an additional compliance burden, particularly for smaller enterprises, whereas AI literacy should be a strategic priority, regardless of regulatory obligations and potential sanctions. In light of that, Article 4 of Regulation (EU) 2024/1689 should be amended to require the Member States and the Commission, without prejudice to their respective competences, to individually, collectively and in cooperation with relevant stakeholders encourage providers and deployers to provide a sufficient level of AI literacy of their staff and other persons*

Amendment

(5) Article 4 of Regulation (EU) 2024/1689 imposes an obligation on providers and deployers of AI systems to *take appropriate measures to* ensure a sufficient level of AI literacy of their staff and other persons dealing with the operation and use of AI systems on their behalf. *Such literacy tools and measures should consist, in particular, in teaching and learning basic notions and skills about AI systems and their functioning, including the different types of products and uses, their risks and benefits and the severity of the harm they can cause and its probability of occurrence, through active rather than passive learning processes, which should not be limited to reading, for example. Ensuring such AI literacy is crucial to support responsible deployment and use of AI systems within organisations and to enable those persons to understand, in relation to their tasks, the functioning, intended purpose and limitations of the AI systems they operate or use. Stakeholder experience shows that measures to ensure AI literacy should be proportionate and adaptable to the type of provider or deployer, the organisational context and the AI systems concerned. However, the need for flexibility as to the form of those measures does not remove the necessity of maintaining a direct obligation on providers and deployers to take such measures. It is therefore*

dealing with the operation and use of AI systems on their behalf, *including through offering training opportunities, providing informational resources, and allowing exchange of good practices and other non-legally binding initiatives. The European Artificial Intelligence Board ('Board') will ensure recurrent exchange between the Commission and Member States on the topic, while the Apply AI Alliance will allow discussion with the wider community. This amendment is without prejudice to the broader measures taken by the Commission and the Member States to promote AI literacy and competences for the wider population, including learners, students, and citizens at different ages and in particular through education and training systems.*

appropriate to maintain the obligation laid down in Article 4, while allowing providers and deployers to determine, in a proportionate manner, the most suitable measures to ensure a sufficient level of AI literacy of their staff and other relevant persons acting on their behalf so as to ensure compliance and enforcement of this Regulation.

Or. en

Amendment 4

Proposal for a regulation Recital 5 a (new)

Text proposed by the Commission

Amendment

(5a) The promotion of AI literacy plays an important role in supporting citizens' understanding of AI and its impact on society, including awareness of the opportunities and risks associated with AI, thereby contributing to its democratic governance and public oversight. In practice, such understanding is fostered through education, training, skilling and reskilling programmes, as well as through culture, media literacy and public awareness initiatives. These broader initiatives complement the organisational AI literacy measures taken by providers and deployers of AI systems for their staff and other persons acting on their behalf. Member States should therefore be encouraged, in the context of promoting AI literacy, to involve education providers, cultural institutions, media organisations

and civil society actors, in order to ensure that AI literacy initiatives are accessible, inclusive and adapted to different audiences and age groups.

Or. en

Amendment 5

Proposal for a regulation Recital 20

Text proposed by the Commission

(20) To allow sufficient time for providers of generative AI systems subject to the marking obligations laid down in Article 50(2) of Regulation (EU) 2024/1689 to adapt their practices within a reasonable time without disrupting the market, it is appropriate to introduce a transitional period of 6 months for providers who have already placed their systems on the market before the 2 August 2026.

Amendment

(20) To allow sufficient time for providers of generative AI systems subject to the marking obligations laid down in Article 50(2) of Regulation (EU) 2024/1689 to adapt their practices within a reasonable time without disrupting the market, it is appropriate to introduce a transitional period of 6 months for providers who have already placed their systems on the market before the 2 August 2026. ***Information provided to indicate that content has been generated or manipulated by an AI system should be presented in a clear and understandable manner to end users, in particular when such content is used or disseminated for educational or cultural and creative purposes.***

Or. en

Amendment 6

Proposal for a regulation Recital 23

Text proposed by the Commission

(23) In light of the objective to reduce implementation challenges for citizens, businesses and public administrations, it is essential that harmonised conditions for the implementation of certain rules are adopted only where strictly necessary. For that purpose, it is appropriate to remove certain

Amendment

(23) In light of the objective to reduce implementation challenges for citizens, businesses and public administrations, it is essential that harmonised conditions for the implementation of certain rules are adopted only where strictly necessary. For that purpose, it is appropriate to remove certain

empowerments bestowed on the Commission to adopt such harmonised conditions by means of implementing acts in cases where those conditions are not met. Regulation (EU) 2024/1689 should therefore be amended to remove the empowerments conferred on the Commission in Article 50(7), Article 56(6), and Article 72(3) thereof to adopt implementing acts. The removal of the empowerment to adopt a harmonised template for a post-market monitoring plan in Article 72(3) of Regulation (EU) 2024/1689 has as an additional benefit that it will offer more flexibility for providers of high-risk AI systems to put in place a system for post-market monitoring that is tailored to their organisation. At the same time, recognising the need to offer clarity how providers of high-risk AI systems are required to comply, the Commission should be required to publish guidance.

empowerments bestowed on the Commission to adopt such harmonised conditions by means of implementing acts in cases where those conditions are not met. Regulation (EU) 2024/1689 should therefore be amended to remove the empowerments conferred on the Commission in Article 50(7), Article 56(6), and Article 72(3) thereof to adopt implementing acts. The removal of the empowerment to adopt a harmonised template for a post-market monitoring plan in Article 72(3) of Regulation (EU) 2024/1689 has as an additional benefit that it will offer more flexibility for providers of high-risk AI systems to put in place a system for post-market monitoring that is tailored to their organisation. At the same time, recognising the need to offer clarity how providers of high-risk AI systems are required to comply, the Commission should be required to publish guidance. *In that context, codes of practice encouraged by the AI Office pursuant to Article 50(7) should, where relevant, provide guidance on how appropriate user information and awareness can be ensured in a proportionate manner, including in situations where AI systems present lower risks, in particular in education and training, media and information services, cultural and creative activities, or the provision of public services.*

Or. en

Amendment 7

Proposal for a regulation

Article 1 – paragraph 1 – point 4

Regulation (EU) 2024/1689

Article 4

Text proposed by the Commission

Amendment

(4) Article 4 is replaced by the following:

deleted

Article 4

AI literacy

‘The Commission and Member States shall encourage providers and deployers of AI systems to take measures to ensure a sufficient level of AI literacy of their staff and other persons dealing with the operation and use of AI systems on their behalf, taking into account their technical knowledge, experience, level of education and training and the context the AI systems are to be used in, and considering the persons or groups of persons on whom the AI systems are to be used.’;

Or. en

Amendment 8

Proposal for a regulation

Article 1 – paragraph 1 – point 15

Regulation (EU) 2024/1689

Article 50 – paragraph 7

Text proposed by the Commission

7. The AI Office shall encourage and facilitate the drawing up of codes of practice at Union level to facilitate the effective implementation of the obligations regarding the detection, marking and labelling of artificially generated or manipulated content. The Commission may *assess whether adherence to* those codes of practice *is adequate to ensure compliance with the obligation laid down in paragraph 2*, in accordance with the procedure laid down in Article 56(6), *first subparagraph*. If it deems the code is not adequate, the Commission may adopt an implementing act specifying common rules for the implementation of those obligations in accordance with the examination procedure laid down in Article 98(2).;

Amendment

7. The AI Office shall encourage and facilitate the drawing up of codes of practice at Union level to facilitate the effective implementation of the obligations regarding the detection, marking and labelling of artificially generated or manipulated content. The Commission may ***adopt implementing acts to approve*** those codes of practice in accordance with the procedure laid down in Article 56(6). If it deems the code is not adequate, the Commission may adopt an implementing act specifying common rules for the implementation of those obligations in accordance with the examination procedure laid down in Article 98(2). ***Those codes of practice shall, where relevant, address how appropriate user information and awareness can be ensured in a proportionate manner, including in cases where AI systems are considered to present lower risks, in particular when used in education and training, media and***

information services, cultural and creative activities, or the provision of public services.;

Or. en