RESOLUTION ON GENERATIVE AI AND WRITERS' RIGHTS

Proposed by the Board of PEN International

The Assembly of Delegates of PEN International, meeting at its 92nd annual Congress online on 29–30 September 2026, reaffirms the PEN Charter's principle of the free and unhampered transmission of thought. Recognising both the opportunities and the risks associated with Generative and Agentic Artificial Intelligence (AI),[1] PEN is profoundly concerned that rapid dissemination of content created autonomously by machines, if deployed without human supervision, may erode truth, weaken human authorship and accountability, distort public discourse, spread falsehoods and mendacious texts at a speed and scale that become impossible to control. AI must not diminish individuals' freedom and agency to think, write and communicate independently, or groups' ability to protect their rights and identity.

Literature is an exercise in freedom and expression of human imagination. And writing is to thought what improvisation is to music. It is, by its very nature, an open-ended human exploration of possibilities, experiences, ideas, and critique. Authorship derives its meaning from a related principle. It protects not only the work itself; its value also lies in the deeply human act of creating it. Generative AI may produce variations on existing texts, but it cannot replicate the freedom through which individuals discover and develop their own voice. AI 'creativity' is determined by its algorithmic response to a given prompt, based on statistical patterns learned from large text corpora.

Seven problems

PEN acknowledges that Generative AI assists the creative process by undertaking research quickly and presenting the outcome in a logical format, and that Agentic AI builds on this by organising tasks and executing them autonomously. The technology offers the promise of efficiency and clarity, inspiring visions of major advances in human development. However, the responses are often 'hallucinatory',[2] and often fail to discriminate between the right and the wrong. At its most fundamental level, it is a threat against the very human capacity and agency to write and think freely.

Generative AI is misused to:

- exploit copyrighted works to train AI models without consent, compensation, or attribution;
- advance machine translation built on the uncredited labour of human translators, threatening both the livelihoods and the visibility of a profession;
- amplify mendacious publication and intensify hatred, discriminate against women, LGBTQIA+ groups and other minorities, and thus foster inequality;
- spread falsehood and disinformation;
- deliver new tools for censorship, surveillance, and the derogation of privacy;
- exercise extraordinary power over what is written, distributed, translated, published, and read;
- entrench linguistic and cultural inequality by privileging dominant languages and literary traditions.

Calls to action and intended impacts

The General Assembly of PEN International urges

– *governments*

- to establish legal and regulatory frameworks that protect freedom of expression and privacy rights while preventing the malicious use of Generative AI for disinformation, censorship, surveillance, and political manipulation;[3] authorities need to ensure that readers, writers, and citizens can distinguish between human and machine-generated expression, thereby preserving trust, accountability, and informed participation in public discourse;

– *international organisations such as UNESCO*

- to promote a shared global framework in which technological innovation is guided by human rights, including freedom of expression, protection of intellectual property, cultural diversity, and intellectual freedom;

– *publishers, broadcasters, and digital media platforms*

- to maintain clear standards regarding the use of Generative AI, safeguarding editorial accountability, ensuring human supervision, source verification, and the integrity of human authorship;[4]

– *technology companies, developers and providers of AI systems*

- to implement rigorous standards for factual accuracy and source attribution in AI-generated content;[5]
- to label AI-generated text clearly and consistently;
- to support press freedom organisations and independent journalism as bulwarks against AI-amplified disinformation;[6]
- to obtain consent for the use of copyrighted works in training data, with particular attention to writers and translators from under-resourced language communities and countries whose works are disproportionately used without recognition;
- to disclose, in a publicly accessible form, the sources of copyrighted works used to develop Generative AI models, providing writers with the means to determine whether their work has been used in this manner;
- to foster equitable inclusion of under-resourced languages in AI systems by directly involving affected linguistic and literary communities to prevent their further marginalisation and ensure their continued survival;
- to ensure that recommendation, search, and content-distribution systems do not privilege artificial content at the expense of independent journalism, literature, translation, and other kinds of human creative expression;
- to refuse to develop or deploy surveillance tools for governments that use them to violate human rights, including against writers and civil society;

– *copyright and cultural institutions*

- to secure the informed consent of writers, translators, and other creators, and to ensure that they retain meaningful control over the use of their works in the development and deployment of Generative AI systems and receive fair recognition and remuneration where appropriate;
- to ensure that consent, recognition and remuneration apply equally to writers and translators from under-resourced language communities and countries, whose works are disproportionately vulnerable to exploitation without recourse;

– *PEN Centres and civil society worldwide*

- to monitor the impact of Generative AI on writers, journalists, translators, and literary culture and to advocate for policies consistent with the principles of the PEN Charter;
- to provide centres—especially in low-income countries—with shared AI training, reporting tools, and implementation support.

Conclusion

AI is neither inherently liberating nor inherently oppressive—it is a technology whose effects will be determined by the choices of corporations, governments, and civil society. We commit to defending the rights of writers in this era of transformation and call on the international community of letters to insist that artificial intelligence serves human expression rather than diminishes it.

[1] Generative AI is a tool that creates content when prompted, responding to instructions it receives and stopping once it delivers the output. Agentic AI builds on Generative AI by executing tasks and pursuing goals set more broadly, taking over more functions, including planning, managing, designing, and executing tasks. It operates autonomously and makes decisions on its own, managing multi-step workflows, and uses tools as it sees fit with minimal or no human supervision. For more on Agentic AI, see https://mitsloan.mit.edu/ideas-made-to-matter/agentic-ai-explained.

[2] An AI hallucination is when an artificial intelligence tool generates false, misleading, or entirely fabricated information that sounds completely plausible. Instead of accessing facts from a database, the AI relies on statistical probabilities to predict the next logical word or pixel in a sequence, often 'filling in the gaps' with invented facts.

[3] In *Speech in the Machine—Generative AI's Implications for Free Expression* (2023), PEN America proposes the balancing of both rights- and risk-based approaches.

[4] The copyright and authorship dispute brought by the New York Times against OpenAI and Microsoft (still in progress) has become a leading test case concerning the use of copyrighted works in the training of Generative AI systems and has raised fundamental questions regarding authorship, consent, fair remuneration, and the sustainability of independent journalism and publishing. See also 'AI Firm Anthropic agrees to pay authors $1.5bn to settle piracy lawsuit', https://www.bbc.co.uk/news/articles/c5y4jpg922qo

[5] The inclusion of works by authors in large-scale AI training datasets without their knowledge, consent, or compensation has highlighted the risk that linguistic and cultural traditions—particularly those from less economically powerful countries and regions—may be appropriated by AI systems without recognition or benefit to the creators.

[6] The dissemination of AI-generated political deepfakes, exemplified by the fabricated video depicting Ukrainian President Volodymyr Zelenskyy urging Ukrainian forces to surrender, demonstrated the capacity of Generative AI to create convincing falsehoods, manipulate public perception, and undermine trust in public communication and democratic discourse.