

From Authorship to Accountability: Rethinking Copyright Governance for AI-Generated Art

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Abstract

This study examines how the rapid expansion of generative artificial intelligence (AI) challenges traditional copyright law by shifting legal concerns beyond authorship and ownership toward transparency, disclosure, traceability, and accountability in AI-assisted artistic production. The study adopts a doctrinal and comparative legal methodology to analyse copyright principles, emerging regulatory frameworks, and policy developments relating to AI-generated content. Particular attention is given to the European Union Artificial Intelligence Act, international copyright debates, and the Albanian legal framework under Law No. 35/2016 “On Copyright and Related Rights”. The analysis demonstrates that existing copyright regimes remain predominantly authorship-centred and provide limited guidance regarding accountability when AI systems contribute to artistic creation. Significant regulatory gaps persist concerning disclosure obligations, traceability of AI involvement, transparency of creative processes, and the allocation of responsibility among users, developers, and platform providers. The findings further indicate that accountability-based governance offers a valuable complement to traditional copyright doctrines in addressing the challenges of AI-assisted creativity. The study is limited to legal

and regulatory analysis and does not incorporate empirical evidence from creators, policymakers, technology developers, or judicial practice in Albania. Future research may benefit from examining stakeholder perspectives and the practical implementation of emerging AI governance frameworks. The findings support the development of governance mechanisms based on mandatory disclosure of AI involvement, documentation of human creative contribution, enhanced transparency standards, and traceability measures for AI-generated artistic content. These measures may strengthen legal certainty and improve copyright enforcement in AI-assisted creative environments. The study contributes to current scholarship by moving beyond the traditional debate on authorship and copyrightability and proposing an accountability-oriented framework for copyright governance. It offers one of the first analyses linking transparency, disclosure, traceability, and accountability principles to the regulation of AI-generated art within both the Albanian and European legal contexts.

Keywords: Artificial Intelligence; Copyright Governance; AI-Generated Art; Transparency; Traceability; Accountability.

Introduction

The rapid expansion of generative artificial intelligence (AI) has transformed the production, distribution, and circulation of artistic content on an unprecedented scale. Systems such as Midjourney, DALL·E, Stable Diffusion, and other generative models are now capable of producing sophisticated visual works from simple textual instructions, enabling new forms of creative expression while simultaneously challenging existing legal and regulatory frameworks (Lucchi, 2025; U.S. Copyright Office, 2025). As AI-generated content becomes increasingly integrated into artistic practice, copyright law faces pressures that extend beyond traditional questions of authorship and ownership.

Early legal and academic debates concerning AI-generated works focused primarily on whether such outputs satisfy the requirements of originality and whether copyright protection should be granted in the absence of direct human creation (Ginsburg & Budiardjo, 2019; Samuelson, 2023). Consequently, discussions have largely revolved around identifying the author of AI-assisted works and determining the extent of human creative contribution necessary for copyright protection. While these questions remain important, the growing complexity of AI-assisted artistic production reveals a broader governance challenge that cannot be adequately addressed through authorship doctrines alone.

Contemporary AI systems operate within complex technological ecosystems involving multiple actors, including developers, platform providers, data curators,

and end users (Floridi et al., 2018). Artistic outputs are often generated through opaque processes that provide limited information regarding the training data employed, the extent of algorithmic intervention, or the precise role of human participation. As a result, disputes concerning copyright infringement, unauthorized use of protected works, stylistic imitation, and ownership increasingly raise questions not only of authorship but also of transparency, disclosure, and accountability (Ananny & Crawford, 2018; Wieringa, 2020).

The absence of clear disclosure obligations creates significant legal uncertainty. In many cases, neither copyright holders nor regulatory authorities can determine whether AI was involved in the creation of a work, which datasets contributed to its generation, or who should bear responsibility when legal violations occur. This lack of traceability challenges traditional mechanisms of copyright enforcement and weakens the ability of legal systems to allocate responsibility effectively (Kroll, 2021; Cobbe et al., 2023).

Against this background, the present study argues that copyright law must move beyond an authorship-centered framework and adopt a governance-oriented approach capable of addressing the realities of AI-assisted artistic production. Using a doctrinal and comparative legal methodology, the article examines emerging regulatory developments within the European Union, international debates concerning AI governance, and the Albanian legal framework under Law No. 35/2016. The study seeks to evaluate whether existing copyright rules provide sufficient mechanisms for transparency and accountability and proposes a governance model based on disclosure obligations, traceability standards, and enhanced accountability throughout the creative process (European Parliament and Council, 2024; OECD, 2019).

By shifting the focus from authorship to accountability, the article contributes to ongoing discussions concerning the future of copyright governance in the age of artificial intelligence and offers recommendations for adapting legal frameworks to the challenges of AI-generated art.

Evolution of Copyright Challenges

Copyright law has historically evolved in response to technological innovation. From the invention of the printing press to the emergence of photography, broadcasting, digital media, and the internet, each technological transformation has required legal systems to reconsider the balance between protecting creators and promoting public access to knowledge and culture. Although new technologies have frequently disrupted existing legal frameworks, copyright law has traditionally maintained a relatively stable foundation centered on human creativity, originality, and authorship (Ginsburg & Budiardjo, 2019; Samuelson, 2023).

The digital revolution of the late twentieth century introduced unprecedented challenges related to the reproduction and dissemination of copyrighted works. The rise of online platforms, peer-to-peer file sharing, and digital content distribution intensified concerns regarding unauthorized copying, enforcement mechanisms, and cross-border infringement. Legislative responses, including international treaties and regional directives, sought to adapt copyright protection to the realities of the digital environment while preserving incentives for creative production (Berne Convention, 1886/1979; European Parliament and Council, 2019).

The emergence of artificial intelligence represents a qualitatively different challenge. Unlike previous technologies that primarily facilitated the creation, reproduction, or distribution of human-generated content, generative AI systems actively participate in the production of creative outputs. Through machine learning processes trained on vast quantities of existing cultural and artistic material, these systems generate new works that may resemble, transform, or recombine protected content in ways that traditional copyright concepts struggle to address (Lucchi, 2025; U.S. Copyright Office, 2025).

Consequently, copyright debates have expanded beyond questions of reproduction and infringement to include concerns regarding training data, algorithmic decision-making, transparency, and responsibility. Legal uncertainty no longer arises solely from the unauthorized use of copyrighted works but also from difficulties in identifying the actors responsible for AI-generated outputs and determining the extent of human involvement in the creative process (Wieringa, 2020; Cobbe et al., 2023).

As AI-generated content becomes increasingly prevalent, the central challenge for copyright law is shifting from the protection of individual works toward the governance of complex socio-technical systems. Legal uncertainty now extends beyond questions of infringement and ownership to encompass issues of transparency, traceability, and responsibility across interconnected AI ecosystems. Addressing these challenges requires legal frameworks capable of integrating accountability mechanisms while continuing to safeguard human creativity and technological innovation. In this context, emerging regulatory initiatives increasingly emphasize governance principles designed to ensure that AI-assisted creative processes remain transparent, verifiable, and subject to effective oversight (Floridi et al., 2018; European Parliament and Council, 2024; Lucchi, 2025).

Research Gap

The growing body of scholarship on artificial intelligence and copyright law has primarily concentrated on questions of authorship, originality, ownership, and

the copyrightability of AI-generated works. Existing studies have extensively examined whether AI-assisted outputs satisfy traditional copyright requirements, the extent of human creative contribution necessary for legal protection, and the potential need for new intellectual property regimes to accommodate emerging technologies (Ginsburg & Budiardjo, 2019; Samuelson, 2023; Lucchi, 2025). These debates have largely focused on determining whether existing copyright doctrines can adequately address creative outputs produced with varying degrees of algorithmic involvement.

However, the increasing integration of generative AI into artistic production has revealed a significant gap in contemporary copyright scholarship. While considerable attention has been devoted to determining who may be recognized as the author of AI-generated content, comparatively limited research has addressed how responsibility should be allocated when AI systems participate in the creative process. Issues relating to transparency, disclosure, traceability, and accountability remain insufficiently explored despite their growing relevance to copyright enforcement and regulatory compliance (Ananny & Crawford, 2018; Wieringa, 2020).

This limitation is particularly evident in situations involving copyrighted training datasets, stylistic imitation, algorithmically generated infringements, and disputes concerning the provenance of AI-generated works. In such cases, identifying authorship alone is often insufficient to determine legal responsibility or ensure effective governance. The absence of clear mechanisms for documenting AI involvement and tracing the origin of creative outputs creates substantial legal uncertainty for creators, copyright holders, platform providers, and regulatory authorities (Kroll, 2021; Cobbe et al., 2023).

Furthermore, within the Albanian context, scholarly attention has largely focused on the compatibility of existing copyright rules with AI-generated works, while the broader governance implications of transparency and accountability have received little systematic examination. Consequently, there remains a lack of research evaluating whether Law No. 35/2016 provides adequate tools for addressing emerging accountability challenges associated with AI-assisted artistic production (Republic of Albania, 2016).

To address this gap, the present study shifts the analytical focus from authorship to accountability and develops a governance-oriented perspective on copyright regulation. By examining transparency, disclosure, and traceability as essential components of contemporary copyright governance, the study seeks to contribute to ongoing international debates while offering recommendations relevant to both European and Albanian legal frameworks (Floridi et al., 2018; European Parliament and Council, 2024).

Research Objectives

The primary objective of this study is to examine how the increasing use of generative artificial intelligence in artistic production challenges traditional copyright governance and necessitates a shift from authorship-centered approaches toward frameworks based on transparency, disclosure, and accountability. To achieve this objective, the study pursues the following specific objectives:

1. To analyse the limitations of traditional copyright concepts, particularly authorship and originality, when applied to AI-generated artistic works.
2. To examine the legal and regulatory challenges arising from the use of generative AI in artistic production, including issues related to traceability, disclosure, and responsibility.
3. To evaluate emerging international and European regulatory developments, with particular attention to transparency and accountability requirements introduced through contemporary AI governance frameworks.
4. To assess the adequacy of the Albanian legal framework under Law No. 35/2016 in addressing accountability-related challenges associated with AI-generated art.
5. To identify governance gaps concerning the allocation of responsibility among users, developers, and platform providers involved in AI-assisted creative processes.
6. To propose a governance-oriented model for copyright regulation that incorporates transparency, disclosure, and accountability mechanisms while preserving incentives for human creativity and technological innovation.

Research Questions

To address the identified research gap and achieve the objectives of the study, the following research questions are proposed:

- RQ1:** How do AI-generated artworks challenge traditional copyright governance frameworks based on authorship, originality, and ownership?
- RQ2:** What role do transparency and disclosure mechanisms play in establishing accountability within AI-assisted artistic production?
- RQ3:** To what extent does the Albanian copyright framework under Law No. 35/2016 provide adequate legal mechanisms to address the accountability challenges posed by AI-generated art?
- RQ4:** How can copyright governance be restructured to incorporate transparency, traceability, and accountability while preserving incentives for human creativity and technological innovation?

Literature Review

The relationship between artificial intelligence and copyright law has generated extensive scholarly debate across legal, technological, and policy-oriented disciplines. Existing literature has primarily examined questions of authorship, originality, ownership, and copyrightability, while more recent research has increasingly focused on transparency, traceability, and accountability in AI-assisted creative environments. This review synthesizes the principal theoretical and regulatory debates relevant to AI-generated art and establishes the conceptual foundation for the governance-oriented framework developed in this study.

Human Authorship and Copyright Theory

The concept of human authorship represents a fundamental pillar of modern copyright law. Across both civil law and common law traditions, copyright protection has traditionally been based on the premise that creative works originate from human intellectual activity. The normative justification for copyright is closely linked to the recognition of creativity, personal expression, and the economic incentives that encourage cultural and artistic production (Ginsburg & Budiardjo, 2019; Samuelson, 2023).

Classical copyright theory has developed through complementary perspectives. Natural rights theories, influenced by John Locke, emphasize the relationship between individual labor and legal entitlement to creative outputs. By contrast, utilitarian theories view copyright as a mechanism for encouraging innovation through economic incentives for creative activity (Gervais, 2020).

Within continental European legal traditions, authorship is also associated with moral rights, reflecting the view that creative works embody the personality and dignity of their creators. Consequently, copyright protection extends beyond economic interests to preserve the personal relationship between authors and their works. This principle is reflected in the **Berne Convention for the Protection of Literary and Artistic Works**, which places human authors at the center of international copyright protection (Berne Convention, 1886/1979).

The principle of originality further reinforces the human-centered character of copyright law. Although jurisdictions apply different originality thresholds, protection generally requires an intellectual contribution attributable to a natural person. European copyright jurisprudence has consistently held that protection exists only where a work reflects the author's own intellectual creation (Infopaq International A/S v Danske Dagblades Forening, 2009). Similarly, the United States Copyright Office maintains that copyright protection requires meaningful human

creative involvement and does not extend to works generated solely through autonomous machine processes (U.S. Copyright Office, 2023; U.S. Copyright Office, 2025).

Generative artificial intelligence challenges these traditional assumptions. Unlike conventional creative tools operating under direct human control, AI systems can produce artistic outputs through sophisticated computational processes, making the relationship between human intention and creative expression increasingly difficult to define. This development raises fundamental questions regarding whether existing concepts of authorship remain adequate where creative decisions are partially influenced by algorithmic systems (Lucchi, 2025; Ginsburg & Budiardjo, 2019).

Despite rapid technological change, contemporary copyright doctrine continues to regard human authorship as a prerequisite for legal protection. Nevertheless, the increasing prevalence of AI-assisted artistic production has exposed tensions between established copyright theories and emerging forms of human-machine collaboration, providing the foundation for contemporary debates on transparency, accountability, and copyright governance (Samuelson, 2023; U.S. Copyright Office, 2025).

AI-Generated Art and Contemporary Copyright Debates

The emergence of generative artificial intelligence has transformed artistic production and intensified debates within copyright scholarship. Unlike conventional digital tools operating under direct human control, generative AI systems produce visual, textual, musical, and multimedia content through machine-learning models trained on large datasets. This development challenges traditional assumptions concerning creativity, originality, authorship, and ownership that have long underpinned copyright law (Lucchi, 2025; U.S. Copyright Office, 2025).

A central debate concerns whether AI-generated outputs satisfy the originality threshold required for copyright protection. While some scholars argue that works created with minimal human involvement should remain outside copyright protection, others maintain that prompt design, selection, and iterative refinement may constitute sufficient human creative contribution (Ginsburg & Budiardjo, 2019; Samuelson, 2023).

Related discussions distinguish between **AI-assisted** and **AI-generated** works. AI-assisted creation involves meaningful human control, whereas AI-generated outputs result from more autonomous computational processes. This distinction has become increasingly important because it directly affects determinations of authorship and copyright eligibility (U.S. Copyright Office, 2023; Lucchi, 2025).

Copyright debates also extend to the use of protected works in AI training datasets. Questions arise as to whether model training constitutes reproduction,

falls within text-and-data mining exceptions, or requires authorization and compensation for copyright holders. These issues have prompted litigation, regulatory scrutiny, and policy discussions across multiple jurisdictions (World Intellectual Property Organization, 2024; European Parliament and Council, 2019).

Further controversy concerns stylistic imitation. Generative AI systems may reproduce recognizable artistic styles without directly copying individual works, creating uncertainty regarding the boundary between lawful inspiration and copyright infringement. Existing legal frameworks provide only limited guidance for resolving these issues (Lucchi, 2025).

Recent regulatory developments demonstrate that copyright debates are gradually expanding beyond authorship and ownership toward broader concerns relating to transparency, disclosure, traceability, and accountability. Consequently, copyright governance is evolving from the protection of individual works toward the regulation of the broader relationships among creators, technology providers, platforms, and rights holders (European Parliament and Council, 2024; Floridi et al., 2018; Wieringa, 2020).

Transparency and Traceability in Digital Governance

Transparency and traceability have emerged as core principles of contemporary digital governance, particularly where artificial intelligence increasingly influences decision-making and creative activities. As AI systems become more integrated into social, economic, and cultural environments, regulators have emphasized the need for technological processes to remain understandable, verifiable, and subject to oversight (OECD, 2019; UNESCO, 2021). These concerns are especially relevant in AI-generated art, where algorithmic complexity often obscures the origin and development of creative outputs (Floridi et al., 2018).

Transparency refers to the availability of information concerning the operation of AI systems, the data on which they are trained, and the processes through which outputs are produced. Within AI governance, it supports trust, regulatory compliance, and the protection of intellectual property rights. In artistic production, transparency includes disclosure of AI involvement, identification of training data sources, and documentation of human participation in the creative process (Ananny & Crawford, 2018; OECD, 2019).

Traceability complements transparency by enabling the reconstruction of the processes, inputs, and actors involved in producing AI-generated outputs. It facilitates documentation of human contributions, identification of AI systems, and verification of creative decisions, thereby supporting the resolution of disputes concerning authorship, ownership, infringement, and liability (Kroll, 2021; Cobbe et al., 2023).

Recent regulatory initiatives reinforce these principles. The European Union AI Act introduces obligations relating to transparency, documentation, and record-keeping, while international discussions increasingly promote provenance systems, metadata preservation, and watermarking technologies to improve the traceability of AI-generated content (European Parliament and Council, 2024; UNESCO, 2021; World Intellectual Property Organization, 2024).

From a copyright perspective, transparency and traceability enable rights holders and regulatory authorities to identify AI involvement, assess human creative contribution, and investigate potential infringements. Without such mechanisms, allocating responsibility becomes significantly more difficult in AI-assisted creative environments (Wieringa, 2020; Cobbe et al., 2023). Consequently, these principles have become essential components of contemporary copyright governance, supporting legal certainty, accountability, and the protection of human creativity (Floridi et al., 2018; European Parliament and Council, 2024).

Accountability Frameworks for Artificial Intelligence

Although copyright scholarship has extensively examined authorship, originality, and ownership in relation to AI-generated works, accountability has received comparatively less attention. Most studies focus on whether AI-generated outputs qualify for copyright protection and who should be recognized as the legal author, while accountability remains a secondary consideration within copyright governance (Ginsburg & Budiardjo, 2019; Samuelson, 2023; Lucchi, 2025).

The growing complexity of AI systems has nevertheless intensified debates concerning responsibility in digital environments. Accountability frameworks seek to identify responsible actors, establish oversight mechanisms, and ensure that legal obligations can be enforced when infringement or other legal harms occur. Unlike traditional legal models centered on individual actors, AI ecosystems involve multiple stakeholders—including developers, data providers, platform operators, and users—making responsibility allocation considerably more complex (Wieringa, 2020; Cobbe et al., 2023).

Within AI governance literature, accountability is generally understood as the obligation to explain, justify, and assume responsibility for the consequences of AI-assisted decisions and outputs. Effective accountability depends on transparency, documentation, and traceability mechanisms capable of linking outcomes to identifiable actors and actions (Ananny & Crawford, 2018; Kroll, 2021).

Recent regulatory developments have elevated accountability to a core principle of AI governance. International organizations increasingly emphasize human oversight, risk management, auditability, and documentation as safeguards for trustworthy AI. Similarly, the European Union AI Act introduces obligations concerning transparency, record-keeping, and compliance monitoring designed

to strengthen accountability throughout the AI lifecycle (European Parliament and Council, 2024; OECD, 2019; UNESCO, 2021).

In AI-generated art, accountability is particularly important because copyright disputes frequently involve multiple actors whose legal responsibilities remain uncertain. Questions concerning copyrighted training materials, stylistic imitation, and infringing AI-generated outputs illustrate that identifying an author alone is insufficient to determine responsibility for dataset selection, system design, or commercial deployment (Lucchi, 2025; U.S. Copyright Office, 2025).

Accordingly, accountability complements rather than replaces traditional copyright doctrines by integrating transparency, traceability, and responsibility throughout AI-assisted creative processes (Horneber, 2023; Williams et al., 2022; Wieringa, 2020).

Methodology

This study examines the governance challenges arising from the growing use of generative artificial intelligence in artistic production. Given the evolving nature of AI regulation and the limited availability of judicial precedent, the research adopts a legal and policy-oriented approach rather than an empirical one. The methodology combines doctrinal legal analysis with comparative examination of regulatory frameworks to evaluate how contemporary copyright systems address transparency, disclosure, traceability, and accountability in AI-assisted creative environments.

Research Design

This research employs a combined doctrinal and comparative legal methodology to examine the implications of generative artificial intelligence for contemporary copyright governance. The doctrinal component analyses legal principles, statutory provisions, regulatory instruments, and interpretative approaches relevant to copyright protection, with particular attention to transparency, disclosure, and accountability as emerging governance mechanisms in AI-assisted artistic production. This approach evaluates the capacity of existing legal frameworks to respond to challenges generated by increasingly sophisticated AI technologies (European Parliament and Council, 2024; U.S. Copyright Office, 2025).

The comparative analysis examines developments within the European Union and the United States, two jurisdictions that currently shape international debates on artificial intelligence and intellectual property. Particular attention is given to the European Union Artificial Intelligence Act, policy guidance issued by the United States Copyright Office, and recent legal developments concerning

AI-assisted creative production (European Parliament and Council, 2024; U.S. Copyright Office, 2023).

The study also considers the Albanian copyright framework through Law No. 35/2016 *On Copyright and Related Rights*, assessing its capacity to address governance challenges associated with AI-generated artistic works. Comparison with emerging European and international approaches allows the identification of areas of convergence, divergence, and regulatory gaps, particularly regarding transparency, traceability, and accountability (Law No. 35/2016; European Parliament and Council, 2024).

This methodological approach is appropriate because the regulation of AI-generated artistic content remains an evolving field characterized by limited judicial precedent and ongoing legislative development. Accordingly, the study prioritizes normative legal interpretation and policy analysis over empirical investigation, with the objective of identifying weaknesses in existing copyright governance and proposing principles for a more transparent, traceable, and accountable regulatory framework (OECD, 2019; UNESCO, 2021).

Data Sources

The research draws upon both primary and secondary legal materials selected for their relevance to contemporary debates on artificial intelligence, copyright governance, and regulatory responsibility.

Primary sources include legislation, regulatory instruments, policy guidance, and official reports addressing the interaction between artificial intelligence and intellectual property law. Particular emphasis is placed on the European Union Artificial Intelligence Act, whose provisions on transparency, documentation, risk assessment, record-keeping, and accountability provide the principal regulatory framework for the analysis (European Parliament and Council, 2024).

The study also examines guidance issued by the United States Copyright Office concerning the registration and protection of works containing AI-generated material, providing insight into contemporary interpretations of human authorship, originality, and copyrightability (U.S. Copyright Office, 2023; U.S. Copyright Office, 2025). An international perspective is further supported through reports published by the World Intellectual Property Organization (WIPO), which examine global developments in artificial intelligence and intellectual property governance (World Intellectual Property Organization, 2019; World Intellectual Property Organization, 2024).

At the national level, the analysis considers Albania's copyright framework through Law No. 35/2016 *On Copyright and Related Rights*, with particular attention to provisions governing authorship, ownership, moral rights, and their relevance to AI-assisted artistic production (Law No. 35/2016).

Secondary sources comprise peer-reviewed journal articles, academic books, legal commentaries, and interdisciplinary studies on copyright law, AI governance, and digital regulation that provide the theoretical and analytical foundation of the research (Floridi et al., 2018; Lucchi, 2025; Wieringa, 2020).

Together, these primary and secondary materials provide a comprehensive basis for evaluating contemporary copyright governance and the regulatory challenges associated with transparency, traceability, disclosure, and accountability in AI-assisted artistic production.

Analytical Framework

To examine the governance challenges associated with AI-generated art, this study adopts an analytical framework based on three interrelated dimensions: transparency, disclosure, and accountability. Together, these dimensions provide a structured basis for evaluating the adequacy of existing copyright regimes and emerging regulatory frameworks in addressing the legal challenges of AI-assisted artistic production (Floridi et al., 2018; European Parliament and Council, 2024).

Transparency

Transparency refers to the availability of information concerning the operation of AI systems involved in artistic creation. Within copyright governance, it enables stakeholders to identify whether AI has contributed to the creation of a work, the nature of that contribution, and the extent of human participation. The analysis examines legal mechanisms that promote visibility regarding AI-generated content, training practices, and system functionality (Ananny & Crawford, 2018; OECD, 2019).

Particular attention is given to transparency obligations contained in contemporary AI governance frameworks, including documentation, record-keeping, and disclosure requirements. These measures are evaluated in terms of their ability to reduce informational asymmetries, strengthen copyright enforcement, and support informed decision-making by creators, rights holders, and regulatory authorities (European Parliament and Council, 2024; UNESCO, 2021).

Disclosure

Disclosure refers to the communication of relevant information concerning the use of artificial intelligence during the creation, dissemination, or commercialization of artistic works. This dimension examines whether existing legal frameworks require users, developers, or platform providers to disclose AI involvement and how such obligations contribute to legal certainty and copyright enforcement. Particular attention is given to regulatory initiatives requiring disclosure of AI-

generated content and documentation of human creative contribution (European Parliament and Council, 2024; U.S. Copyright Office, 2023).

Within the analytical framework, disclosure is evaluated as a governance mechanism that distinguishes human-created from AI-assisted works, thereby supporting transparency, informed decision-making, and the enforcement of intellectual property rights (OECD, 2019; UNESCO, 2021).

Accountability

Accountability refers to the allocation of responsibility among actors involved in AI-assisted artistic production. This dimension examines how legal systems assign responsibility for copyright infringement, unauthorized use of protected content, and other legal harms associated with AI-generated works. It evaluates whether existing copyright frameworks adequately allocate responsibility among developers, platform operators, data providers, and end users, and assesses the incorporation of accountability principles within contemporary AI governance initiatives (Wieringa, 2020; Cobbe et al., 2023).

Particular attention is given to the relationship between accountability and supporting mechanisms such as transparency, documentation, and traceability. Because effective accountability depends upon reliable information concerning the origin of AI-generated outputs and the actors involved in their production, this dimension evaluates whether existing legal frameworks provide sufficient tools for allocating responsibility and resolving disputes in AI-assisted creative environments (Ananny & Crawford, 2018; Kroll, 2021).

Together, these three dimensions provide the analytical basis for evaluating the strengths and limitations of contemporary copyright regulation. Applied to international, European, and Albanian legal developments, they enable assessment of whether existing copyright governance adequately addresses the challenges posed by AI-generated art and identify areas requiring regulatory reform (Floridi et al., 2018; European Parliament and Council, 2024).

Results

This chapter presents the principal findings of the comparative legal analysis. The results are organized around four interrelated themes: (1) the limitations of the traditional authorship-based approach, (2) transparency deficits in AI-assisted artistic creation, (3) accountability gaps within existing copyright systems, and (4) regulatory challenges within the Albanian legal framework. Collectively, these findings illustrate the principal legal and regulatory issues identified through the comparative analysis and provide the basis for the discussion presented in the following chapter.

Limitations of the Authorship-Based Approach

The analysis demonstrates that contemporary copyright frameworks remain primarily centered on human authorship as the basis for copyright protection and rights allocation. Across most jurisdictions, copyright law continues to assume that protected works originate from identifiable natural persons whose intellectual contribution can be legally recognized. While this human-centered model has historically provided a coherent foundation for copyright protection, the findings indicate that generative artificial intelligence increasingly challenges its application to AI-assisted artistic production (U.S. Copyright Office, 2025).

A principal limitation identified by the analysis is the difficulty of accommodating complex forms of human-machine collaboration. Generative AI systems participate in multiple stages of artistic production, including image generation, stylistic composition, and content transformation. Because creative outputs often result from a combination of human input and algorithmic processes, determining the precise source of creative expression becomes increasingly difficult. Consequently, legal categories based on a direct relationship between a human author and a completed work are less suited to AI-assisted creative environments.

The findings further indicate that identifying a human author alone provides limited guidance for resolving disputes involving AI-generated content. Even where authorship can be established, questions remain regarding the responsibilities of developers, platform providers, data curators, and other actors whose contributions influence AI-generated outputs. Traditional copyright doctrines therefore provide only limited guidance for allocating responsibility within contemporary AI ecosystems.

Another limitation concerns AI training datasets. Existing copyright frameworks primarily evaluate the originality and ownership of completed works rather than the processes through which those works are produced. Consequently, they provide limited mechanisms for addressing the use of copyrighted material during model training, stylistic imitation, or the incorporation of protected elements into AI-generated outputs. These issues extend beyond authorship and increasingly involve questions of transparency, documentation, and accountability.

Comparative analysis also identifies an emerging regulatory shift. While the United States Copyright Office continues to emphasize meaningful human authorship as a prerequisite for copyright protection (U.S. Copyright Office, 2023; U.S. Copyright Office, 2025), recent European initiatives place greater emphasis on transparency, documentation, traceability, and accountability (European Parliament and Council, 2024).

Overall, the findings indicate that existing authorship-based frameworks provide only a partial response to the legal challenges posed by AI-assisted artistic production, highlighting the need for complementary governance mechanisms addressing transparency, traceability, disclosure, and accountability.

Transparency Deficits in AI-Assisted Artistic Creation

The analysis demonstrates significant transparency deficits throughout the lifecycle of AI-assisted artistic production. Although generative AI is increasingly used to produce visual, musical, textual, and multimedia works, the processes through which these outputs are generated frequently remain opaque to users, copyright holders, and regulatory authorities. This lack of transparency limits the ability to assess the legality, provenance, and copyright implications of AI-generated content.

A major concern identified by the analysis relates to the datasets used for training generative AI models. Although these systems are commonly trained on extensive collections of digital content, including copyrighted works, information concerning dataset composition, origin, licensing status, and selection criteria is often unavailable or only partially disclosed. As a result, copyright holders face considerable difficulty in determining whether their works have been used during model training.

The findings also reveal limited transparency regarding the operation of AI systems. Contemporary generative models function through complex machine-learning architectures whose internal processes are difficult to interpret. Consequently, users and regulators often lack meaningful information about how outputs are generated, which data sources influence specific results, and the extent of human contribution to the creative process. This opacity complicates assessments of originality, copyright infringement, and authorship.

Transparency deficits are equally evident in the dissemination of AI-generated works. Many AI-assisted outputs are distributed without indicating the involvement of artificial intelligence, making it difficult to distinguish between human-created and AI-assisted content. This informational asymmetry weakens legal certainty, complicates copyright enforcement, and undermines public trust.

Comparative analysis further indicates that recent regulatory initiatives increasingly seek to address these shortcomings through documentation requirements, record-keeping obligations, metadata preservation, transparency reporting, and related governance mechanisms (European Parliament and Council, 2024; UNESCO, 2021). Nevertheless, existing copyright frameworks continue to provide only limited guidance regarding transparency obligations specifically applicable to AI-assisted artistic production.

Overall, the findings identify transparency deficits as a fundamental governance challenge rather than merely a technical characteristic of AI systems. Without effective mechanisms for documenting AI involvement and identifying the origin of creative outputs, it becomes considerably more difficult to verify provenance, assess copyright compliance, and allocate legal responsibility. Enhanced transparency therefore emerges as a prerequisite for effective traceability, accountability, and sustainable copyright governance (European Parliament and Council, 2024).

Accountability Gaps in Current Copyright Systems

The analysis identifies substantial accountability gaps within contemporary copyright systems when applied to AI-generated artistic production. While existing copyright frameworks provide well-established mechanisms for identifying authors, allocating ownership, and enforcing exclusive rights, they offer considerably less guidance regarding the distribution of legal responsibility in AI-assisted creative environments. Because generative AI operates through interconnected ecosystems involving multiple actors, traditional copyright doctrines frequently struggle to determine responsibility when disputes arise.

A principal challenge concerns the allocation of responsibility among developers, platform providers, data curators, commercial deployers, and end users. Unlike conventional creative processes, where a direct relationship exists between the author and the completed work, AI-generated outputs result from interactions among multiple stakeholders. Consequently, uncertainty often arises as to whether responsibility should be attributed to the user, the model developer, the organization responsible for training datasets, or the platform distributing the generated content.

The findings further indicate that existing copyright systems remain primarily focused on protecting creative outputs rather than governing the processes through which they are produced. Current legal frameworks generally address ownership and infringement after a work has been created while providing limited mechanisms for allocating responsibility throughout the AI lifecycle. This reactive approach is increasingly inadequate because potential legal concerns may arise during data collection, model training, algorithmic processing, system deployment, or dissemination.

Another important accountability gap concerns evidentiary challenges. The absence of systematic documentation regarding AI involvement often makes it difficult to reconstruct the creative process and identify the actors responsible for specific stages of content generation. Without reliable records concerning training datasets, prompt histories, model versions, or human interventions, courts and regulatory authorities face significant obstacles in establishing responsibility and

enforcing copyright obligations. Consequently, limited traceability weakens both legal certainty and effective enforcement.

The analysis also demonstrates that accountability deficiencies are particularly evident in disputes involving stylistic imitation, derivative creation, and copyrighted training materials. Existing copyright doctrines provide limited guidance where infringement results indirectly from machine-learning processes rather than deliberate human copying, making it difficult to establish causation, assess liability, and allocate responsibility among participants in AI ecosystems.

Comparative analysis further indicates a gradual transition toward governance models emphasizing accountability throughout the AI lifecycle. Recent regulatory initiatives increasingly incorporate documentation, transparency, audit, record-keeping, and compliance requirements to strengthen oversight and responsibility allocation (European Parliament and Council, 2024; OECD, 2019). Nevertheless, these mechanisms remain only partially integrated into copyright law.

Overall, the findings identify accountability as one of the principal unresolved challenges in contemporary copyright governance. Existing legal frameworks continue to prioritize authorship and ownership while providing insufficient mechanisms for allocating responsibility in distributed AI ecosystems. Addressing these accountability gaps is therefore essential for strengthening legal certainty, improving copyright enforcement, and supporting responsible innovation in AI-assisted artistic production (European Parliament and Council, 2024; UNESCO, 2021).

Albanian Copyright Law and Regulatory Challenges

The analysis demonstrates that Albania's copyright legislation remains grounded in traditional concepts of human authorship, originality, and intellectual creation. Law No. 35/2016 *On Copyright and Related Rights* establishes a comprehensive framework for protecting authors' moral and economic rights but predates the widespread emergence of generative artificial intelligence. Consequently, it contains no explicit provisions addressing AI-assisted artistic production or the legal status of AI-generated content (Republic of Albania, 2016).

The findings indicate that the current legal framework provides only limited guidance for works resulting from human-machine collaboration. While copyright protection is based on the intellectual contribution of a natural person, the legislation does not specify the degree of human involvement required when AI participates in the creative process. This creates uncertainty regarding both authorship and the availability of copyright protection for AI-assisted works.

A further limitation concerns the absence of transparency and disclosure obligations. Existing legislation does not require creators, technology providers, or

digital platforms to disclose AI involvement or provide mechanisms for verifying the extent of AI participation in artistic production. This lack of transparency complicates assessments of originality, human contribution, and potential copyright infringement.

The analysis also shows that questions of legal responsibility remain largely unresolved. Law No. 35/2016 regulates relationships among authors, rights holders, and users but provides little guidance regarding responsibility within AI ecosystems. Disputes involving copyrighted training datasets, AI-generated infringements, stylistic imitation, or derivative works therefore remain inadequately addressed (Republic of Albania, 2016).

Another governance challenge concerns the absence of mechanisms supporting the traceability of AI-assisted creative processes. The legislation contains no requirements concerning documentation, metadata preservation, provenance information, or record-keeping that could facilitate the reconstruction of AI-assisted creation and support evidentiary assessment in future copyright disputes.

Comparative analysis highlights important opportunities for legislative modernization. Albania's ongoing approximation with European Union law provides an appropriate framework for incorporating governance principles emphasizing transparency, documentation, traceability, and accountability (European Parliament and Council, 2024).

Overall, the findings indicate that Law No. 35/2016 remains effective for conventional forms of authorship but is insufficiently adapted to the governance challenges posed by generative AI. Legislative reform addressing transparency, disclosure, traceability, and accountability would strengthen legal certainty while preserving the human-centered foundations of copyright protection.

Discussion

The findings demonstrate that the legal challenges associated with AI-generated artistic production extend beyond traditional questions of authorship and copyright ownership. While existing copyright systems continue to rely on concepts developed for human-centered creativity, the increasing use of generative artificial intelligence has exposed governance deficiencies relating to transparency, disclosure, traceability, and accountability. These findings suggest that copyright law is undergoing a conceptual transition in which traditional doctrines remain essential but are no longer sufficient to regulate AI-assisted creativity.

The discussion interprets these findings within broader debates on copyright governance and AI regulation, focusing on the shift from authorship-based approaches toward accountability-oriented models and their implications for the modernization of the Albanian copyright framework.

From Authorship to Accountability

The findings suggest that contemporary copyright law is undergoing a significant conceptual transition. For decades, copyright has been primarily concerned with identifying the creator of a work and determining the rights arising from authorship (Ginsburg & Budiardjo, 2019; Samuelson, 2023). However, generative artificial intelligence has exposed the limitations of this approach and highlighted the need for a broader governance perspective centered on accountability.

Traditional copyright doctrine assumes a direct relationship between the author and the creative work. In AI-assisted artistic production, however, creative outputs result from interactions among users, developers, data curators, platform providers, and other actors. Under these circumstances, identifying an author does not necessarily resolve questions of legal responsibility, regulatory compliance, or enforcement (Cobbe et al., 2023; Wieringa, 2020).

The findings indicate that authorship alone is insufficient to address issues relating to copyrighted training materials, stylistic imitation, AI-generated infringements, and the absence of disclosure mechanisms. Consequently, the central regulatory question increasingly concerns who should bear responsibility for AI-assisted creative processes rather than solely who created the final work (Guadamuz, 2024; U.S. Copyright Office, 2025).

This development reflects broader trends in AI governance, where transparency, documentation, traceability, human oversight, and accountability are increasingly recognized as essential regulatory principles (Floridi et al., 2018; European Parliament and Council, 2024).

From this perspective, accountability complements rather than replaces authorship. Human authorship remains fundamental to copyright protection, moral rights, and creative incentives, while accountability broadens the analysis to include the technological processes and institutional actors involved in AI-assisted creation. This perspective is particularly relevant because legal risks frequently arise during data collection, model training, system development, or content dissemination rather than solely from the final output (Kroll, 2021; Wieringa, 2020).

Accordingly, effective copyright governance requires traditional authorship doctrines to be complemented by mechanisms that promote transparency, traceability, accountability, and effective enforcement throughout the AI-assisted creative process. Such an integrated approach better addresses the realities of generative AI while preserving the fundamental objectives of copyright law: protecting human creativity, intellectual property rights, and cultural innovation (European Parliament and Council, 2024; UNESCO, 2021).

Copyright Governance in the Age of Generative AI

The findings indicate that generative artificial intelligence has fundamentally transformed the regulatory environment in which copyright law operates. Traditional copyright systems were designed to govern relationships among human creators, rights holders, and users of protected works. By contrast, AI-assisted artistic production occurs within interconnected socio-technical ecosystems involving multiple stakeholders, algorithmic systems, and data-driven creative processes. Consequently, copyright governance can no longer focus solely on protecting individual works but must also regulate the conditions under which creative content is produced and distributed (Floridi et al., 2018; Wieringa, 2020).

The analysis further demonstrates that existing copyright regimes remain primarily focused on authorship, ownership, and the enforcement of exclusive rights. Although these functions remain essential, they provide only a partial response to the challenges introduced by generative AI. Many contemporary legal disputes originate during data collection, model training, algorithmic processing, or digital dissemination rather than from the final creative output itself. Effective copyright governance therefore requires mechanisms that promote transparency, documentation, traceability, and accountability throughout the AI lifecycle (Cobbe et al., 2023; Horneber, 2023).

From this perspective, copyright governance extends beyond the allocation of exclusive rights to encompass the regulation of AI-assisted creative processes. Effective governance depends on legal and institutional mechanisms that ensure transparency, verifiability, and accountability, particularly where AI systems rely on copyrighted training materials or generate outputs that may reproduce protected content (Kroll, 2021; UNESCO, 2021).

Recent regulatory developments reinforce this broader approach. The European Union AI Act introduces obligations relating to transparency, documentation, record-keeping, risk management, and regulatory oversight that provide an important governance framework for AI-assisted artistic production (European Parliament and Council, 2024). Similarly, international policy initiatives increasingly emphasize responsible innovation, legal certainty, and accountability as essential principles for AI regulation (OECD, 2019; UNESCO, 2021).

The findings therefore suggest that future copyright governance should integrate traditional copyright doctrines with broader principles of AI governance. Such an approach addresses not only ownership and protection of creative works but also the conditions under which AI systems operate, the information that should be disclosed, and the allocation of responsibility when disputes arise.

Accordingly, generative AI requires a gradual transition from a predominantly rights-based model of copyright protection toward a governance-oriented

framework grounded in transparency, traceability, documentation, and accountability. Rather than replacing traditional copyright principles, this evolution strengthens their capacity to regulate increasingly complex human-machine creative environments (Floridi et al., 2018; European Parliament and Council, 2024).

Toward a Transparency-Based Regulatory Model

The findings of this study indicate that transparency should constitute a foundational principle of future copyright governance in relation to AI-generated artistic content. Traditional copyright frameworks remain primarily concerned with questions of authorship, ownership, and infringement. Although these concepts continue to provide the legal basis for copyright protection, the analysis demonstrates that they are insufficient to address the governance challenges created by increasingly autonomous and data-driven creative technologies. A transparency-based regulatory model therefore represents an important evolution of copyright governance by emphasizing visibility, disclosure, traceability, and informed regulatory oversight throughout the lifecycle of AI-assisted artistic production (European Parliament and Council, 2024; Floridi et al., 2018).

At the core of this model lies the principle that relevant stakeholders should have access to reliable information concerning the role of artificial intelligence within the creative process. Transparency enables copyright holders, creators, users, regulatory authorities, and courts to determine whether AI systems contributed to the production of a work and to assess the extent of meaningful human creative participation. By reducing informational asymmetries, transparency strengthens legal certainty, facilitates regulatory compliance, and supports more effective enforcement of intellectual property rights (Ananny & Crawford, 2018; OECD, 2019).

The findings further suggest that a transparency-based regulatory framework should incorporate three complementary governance mechanisms. First, disclosure obligations should require creators, commercial users, and platform providers to indicate when generative artificial intelligence has been employed in the production or dissemination of artistic content. Such disclosure would improve legal certainty without necessarily affecting the availability of copyright protection. Second, documentation requirements should record significant stages of the creative process, including prompt development, human modifications, creative selection, iterative refinement, and AI-generated outputs. These records would provide valuable evidentiary support in future copyright disputes. Third, traceability mechanisms—including metadata preservation, provenance systems, digital watermarking, and audit trails—should facilitate verification of the origin, evolution, and dissemination of AI-generated works while supporting effective

accountability and regulatory oversight (European Parliament and Council, 2024; Kroll, 2021).

At the same time, the findings indicate that transparency cannot be treated as an absolute principle. Effective regulation must balance transparency obligations against legitimate concerns relating to privacy, commercial confidentiality, trade secrets, cybersecurity, and technological innovation. Excessively burdensome disclosure requirements could discourage innovation or expose proprietary information essential to the development of advanced AI systems. Consequently, transparency measures should remain proportionate, risk-based, and sufficiently flexible to ensure meaningful accountability without imposing unnecessary regulatory burdens on creators, developers, or platform operators (Ananny & Crawford, 2018).

From a copyright perspective, transparency functions as the conceptual bridge connecting authorship with accountability. It enables the identification of human creative contribution while simultaneously providing the evidentiary foundation necessary to allocate legal responsibility when disputes arise. By integrating disclosure obligations, documentation standards, and traceability mechanisms into existing copyright frameworks, a transparency-based regulatory model strengthens legal certainty, facilitates copyright enforcement, and improves institutional oversight of AI-assisted artistic production. More broadly, the analysis suggests that transparency should be understood not merely as a procedural requirement but as a substantive governance principle capable of supporting the long-term adaptation of copyright law to increasingly complex forms of human-machine creativity (Wieringa, 2020; Cobbe et al., 2023; European Parliament and Council, 2024).

Implications for Albania and EU Harmonization

The findings of this study suggest that the transition from authorship-centered copyright regulation toward accountability-based governance carries significant implications for Albania's ongoing process of legal modernization and European integration. As generative artificial intelligence becomes increasingly integrated into creative industries, copyright systems can no longer rely exclusively on traditional concepts of authorship and ownership. Instead, they must progressively incorporate governance mechanisms capable of addressing transparency, disclosure, traceability, and accountability within increasingly complex AI-assisted creative environments (European Parliament and Council, 2024).

The analysis indicates that Albania faces a dual regulatory challenge. On the one hand, future legislative reform must preserve the fundamental principles of copyright law, including the protection of human creativity, moral rights, originality, and the economic incentives that encourage artistic production. On the other hand,

the legal framework must evolve to accommodate technological environments characterized by distributed responsibility, algorithmic decision-making, and AI-assisted content generation. This reflects a broader transformation occurring across contemporary legal systems, where copyright protection increasingly operates within governance-oriented regulatory frameworks designed to manage complex digital ecosystems rather than solely protecting individual creative works (Floridi et al., 2018; Wieringa, 2020).

The findings further demonstrate that recent European regulatory initiatives provide an important point of reference for this transition. The European Union has progressively adopted governance principles emphasizing transparency, documentation, traceability, risk management, and accountability throughout the lifecycle of artificial intelligence systems. Although these regulatory developments extend beyond the traditional scope of copyright law, they increasingly shape the wider legal environment within which intellectual property rights are created, exercised, and enforced. Consequently, future harmonization is likely to require closer integration between copyright regulation and broader AI governance principles (European Parliament and Council, 2024).

For Albania, alignment with emerging European standards represents not only a legal obligation arising from the European Union accession process but also an opportunity to modernize national copyright legislation before AI-related disputes become widespread within domestic creative industries. The findings suggest that proactive legislative adaptation could reduce legal uncertainty, strengthen institutional capacity, improve investor confidence, and support the sustainable development of the country's cultural and creative sectors. In this respect, harmonization should not be understood merely as the formal transposition of European legal instruments but as the incorporation of governance principles capable of promoting transparency, accountability, legal certainty, and public trust in AI-assisted artistic production (OECD, 2019; UNESCO, 2021).

The analysis also suggests that Albania would benefit from introducing carefully targeted legislative provisions addressing disclosure of AI involvement, documentation of creative processes, provenance information, and evidentiary standards applicable to AI-assisted works. Such measures would strengthen legal certainty by improving the ability of courts, regulatory authorities, creators, and copyright holders to identify the role of artificial intelligence within the creative process while preserving the human-centered foundations of copyright protection established by Law No. 35/2016 (Republic of Albania, 2016).

More broadly, the Albanian experience illustrates a challenge shared by many emerging legal systems seeking to regulate rapidly evolving digital technologies while maintaining stable legal principles. The findings indicate that future copyright reform should not be limited to expanding existing rules on authorship but should also incorporate governance mechanisms capable of supporting transparency,

traceability, and accountability throughout AI-assisted creative processes. Such an approach would strengthen both copyright protection and regulatory resilience while facilitating gradual alignment with evolving European standards.

Ultimately, the transition toward accountability-oriented copyright governance represents an opportunity rather than merely a regulatory challenge. By adopting governance principles that integrate traditional copyright doctrine with contemporary approaches to artificial intelligence regulation, Albania has the potential to develop a more adaptive, transparent, and future-oriented copyright framework capable of balancing technological innovation with the long-term protection of human creativity and intellectual property rights (European Parliament and Council, 2024; Floridi et al., 2018).

Limitations

This study is subject to several methodological and contextual limitations that should be considered when interpreting its findings and recommendations. These limitations do not diminish the relevance of the analysis but instead define the scope within which the conclusions should be understood and indicate areas requiring further investigation as artificial intelligence regulation continues to evolve.

First, the analysis is constrained by the absence of Albanian judicial practice specifically addressing AI-generated works and related copyright disputes. As generative artificial intelligence remains a relatively recent technological phenomenon, Albanian courts have not yet developed case law capable of clarifying how existing copyright principles should be applied to AI-assisted artistic production. Consequently, the assessment of the Albanian legal framework relies primarily on statutory interpretation, comparative legal analysis, and emerging international regulatory developments rather than on established judicial precedent.

Second, the rapidly evolving nature of artificial intelligence regulation constitutes an inherent limitation of the research. Legislative initiatives, regulatory guidance, policy instruments, and judicial decisions concerning AI governance continue to develop at both national and international levels. Consequently, legal frameworks that are currently emerging may substantially influence future interpretations of copyright law, transparency obligations, and accountability mechanisms. As regulatory and technological developments continue to evolve, some of the conclusions presented in this study may require reassessment in light of future legislative reforms and judicial practice.

Third, the study adopts a doctrinal and comparative legal methodology and therefore focuses primarily on legislation, judicial authorities, policy documents,

and academic scholarship. It does not incorporate empirical evidence derived from interviews, surveys, or case studies involving artists, copyright holders, AI developers, platform providers, policymakers, or legal practitioners. As a result, the research does not directly examine stakeholder perceptions, practical implementation challenges, or industry-specific experiences associated with the use of generative artificial intelligence in artistic production.

Fourth, the scope of the analysis is intentionally limited to copyright governance within the context of AI-assisted visual and digital artistic creation. Although artificial intelligence raises numerous legal questions extending beyond copyright law, including issues relating to patents, trademarks, trade secrets, data protection, privacy, contractual liability, and competition law, these areas fall outside the objectives of the present study and therefore require separate and more specialized investigation.

Finally, the study primarily examines contemporary legal frameworks within the European Union, the United States, and Albania. Although these jurisdictions provide an appropriate basis for comparative legal analysis, the findings should not be interpreted as universally applicable to all legal systems. Future research would benefit from broader comparative investigations involving additional jurisdictions and from empirical studies examining how transparency, disclosure, and accountability mechanisms operate in practice across different creative industries.

Despite these limitations, the study provides a comprehensive conceptual and regulatory analysis of the governance challenges associated with AI-generated artistic production. By integrating copyright law with emerging principles of AI governance, it contributes to ongoing scholarly and policy debates concerning transparency, traceability, disclosure, and accountability while offering a foundation for future comparative, empirical, and interdisciplinary research on copyright governance in the age of generative artificial intelligence.

Conclusions

Generative artificial intelligence has exposed important limitations within copyright frameworks traditionally built around the concepts of human authorship, originality, and ownership. Although these principles remain fundamental to copyright protection, the analysis presented in this study demonstrates that they are no longer sufficient on their own to regulate the increasingly complex realities of AI-assisted artistic creation. As artificial intelligence becomes progressively integrated into creative practice, copyright law must address not only questions of authorship and ownership but also broader governance issues relating to transparency, disclosure, traceability, and accountability.

The study demonstrates that contemporary copyright systems continue to prioritize the identification of authors and the allocation of exclusive rights while providing only limited mechanisms for assigning responsibility across the multiple actors involved in AI ecosystems. Governance challenges arise from opaque training datasets, insufficient disclosure practices, limited traceability of AI-assisted creative processes, and the absence of clear accountability mechanisms applicable to developers, platform providers, data curators, and end users. These shortcomings are particularly evident within the Albanian copyright framework, which was adopted before the widespread emergence of generative artificial intelligence and therefore contains no provisions specifically addressing AI-assisted artistic production.

The analysis further identifies transparency as a foundational principle for the future development of copyright governance. Effective regulation increasingly depends on the capacity to document meaningful human creative participation, identify the role of artificial intelligence throughout the creative process, and establish appropriate mechanisms for allocating legal responsibility when disputes arise. Within this emerging governance paradigm, accountability should be understood as complementing rather than replacing the traditional doctrine of human authorship, thereby preserving the normative foundations of copyright while adapting them to contemporary technological realities.

Based on the results of the study, several recommendations emerge:

1. **Introduce mandatory disclosure requirements** concerning the use of artificial intelligence in artistic production.
2. **Encourage systematic documentation** of human creative contributions, including prompts, revisions, selections, and other forms of meaningful creative intervention.
3. **Establish transparency and traceability obligations** for AI platforms through documentation, record-keeping, provenance information, and metadata preservation.
4. **Align Albanian copyright legislation** with emerging European approaches to artificial intelligence governance and regulatory accountability.
5. **Develop comprehensive accountability frameworks** capable of allocating responsibility among developers, platform providers, data curators, commercial deployers, and end users involved in AI-assisted creative processes.

Beyond these practical recommendations, the study contributes to contemporary copyright scholarship by proposing a shift from an authorship-centered perspective toward a governance-oriented approach grounded in transparency, traceability, disclosure, and accountability. In doing so, it expands

current debates beyond questions of copyrightability and ownership and highlights the importance of regulating the socio-technical processes through which AI-generated artistic content is created.

Ultimately, the future of copyright governance will depend not only on identifying creators but also on ensuring that AI-assisted creative processes remain transparent, traceable, and accountable throughout their entire lifecycle. By integrating governance principles with established copyright doctrines, legal systems can develop more adaptive, resilient, and future-oriented regulatory frameworks capable of balancing technological innovation with the long-term protection of human creativity, legal certainty, and intellectual property rights in the age of artificial intelligence (European Parliament and Council, 2024; Floridi et al., 2018).

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