IPIE

International Panel on the Information Environment

# Submission to the EU AI Office

## Stakeholder Consultation on Draft Guidelines on Transparency Requirements for Certain AI Systems Under Article 50 AI Act

Technical Paper 2026.2

**Submission to the EU AI Office: Stakeholder Consultation on Draft Guidelines on Transparency Requirements for Certain AI Systems under Article 50 AI Act**

This submission by the International Panel on the Information Environment (IPIE) sets out recommendations on the European Commission's draft guidelines for AI transparency obligations under Article 50 of the EU AI Act. Its purpose is to offer guidance on how to strengthen the guidelines to address both individual and societal harms from AI-generated content, ensure clear accountability across complex AI deployment environments, and support the consistent and effective implementation of transparency requirements across the Union.

**Summary of the IPIE's Recommendations**

Recommendation One:

Strengthen the societal rationale in the Guidelines to reflect that Article 50 serves both individual and broader democratic and information-environment objectives.

Recommendation Two:

Clarify allocation of responsibilities in complex, multi-actor AI deployment settings, consistent with the accountability principles established in IPIE's global AI auditing framework.

Recommendation Three:

Ensure adequate and assessable disclosure requirements for interactive AI systems, with particular attention to sustained interactions, human-like conversational agents, and high-risk contexts such as political engagement and public administration.

Recommendation Four:

Ground the effectiveness standard for AI content marking and detection in empirical evidence, acknowledge modality-specific variation, and support independent evaluation of technical solutions.

Recommendation Five:

Clarify the application of Article 50(4) to AI-generated electoral content, strengthen provenance data retention requirements, and require substantive human editorial control as a condition for the editorial-control exception.

**Background on the IPIE:**

The IPIE is an independent global science organization providing scientific assessments on threats to the world's information environment. Based in Switzerland, the IPIE serves policymakers, industry, and civil society with evidence-based analysis of AI-generated disinformation, AI's role in elections, and frameworks for AI auditing and accountability. The IPIE draws on a network of affiliated researchers across all 27 EU Member States, as well as contributors worldwide.

This submission draws on multiple IPIE research outputs, including *The Role of Generative AI Use in 2024 Elections Worldwide* (TP2025.2), which documented the use of AI-generated content in electoral contexts across multiple EU Member States during 2024, including Romania, Ireland, Bulgaria, Croatia, and Lithuania. The submission also references the IPIE's *Towards A Global AI Auditing Framework: Assessment and Recommendations* (SR2024.3), which identified clear assignment of responsibilities as a precondition for effective accountability and oversight of AI systems. The submission further draws on IPIE's meta-analysis of AI-generated misinformation (SR2026.2), which found that the effects of AI-generated content and the effectiveness of transparency measures such as content labelling vary significantly depending on design, wording, modality, and context.

Our evidence demonstrates the importance of transparency obligations that address not only individual awareness but the broader integrity of the information environment, including public discourse, democratic processes, and societal trust.

**IPIE Recommendations:**

Recommendation One: Strengthen the Societal Rationale of the Guidelines

The IPIE welcomes the recognition in Section I that the transparency obligations in Article 50 are intended to reduce deception, misinformation, manipulation, fraud, and adverse impacts on democratic processes and societal trust.

The Guidelines should more clearly articulate the broader societal dimension of the harms that Article 50 seeks to address. AI-generated and AI-manipulated content can affect the integrity of the wider information environment, including public discourse, democratic processes, and public trust in information ecosystems, beyond individual user awareness.

The IPIE recommends that policymakers adopt the following measures:

- Explicitly recognise in the Guidelines that Article 50 serves both an individual-protection function and a broader societal function, including the integrity of democratic processes and the information environment.
- Reflect this dual rationale consistently throughout the Guidelines, not only in the introductory section.
- Clarify that transparency measures should be implemented in a manner that enables competent authorities to effectively assess compliance, thereby supporting consistent, effective, and uniform application across the Union.

IPIE's research on GenAI use in elections (TP2025.2) and AI-generated misinformation (SR2026.2) demonstrates that the effects of AI-generated content can extend beyond individual users to broader democratic and information-environment harms, reinforcing the need for a societal framing in the Guidelines.

Recommendation Two: Clarify Allocation of Responsibility in Multi-Actor Deployment Settings

The IPIE draws attention to an important horizontal issue requiring further clarification. While Sections 2.3 and 2.6 of the draft Guidelines explain the distinction between providers and deployers, further guidance is needed in cases where general-purpose AI systems are integrated into downstream products and services.

- Provide clear guidance on which actors are responsible for implementing Article 50 transparency obligations in complex, multi-actor deployment environments.
- Ensure that responsibility chains are clearly defined across the AI value chain, consistent with the accountability principles identified in IPIE's global AI auditing framework (SR2024.3).
- Clarify that clear assignment of responsibilities is a prerequisite for effective oversight and enforcement, particularly as AI systems become embedded in increasingly layered deployment architectures.

The IPIE's AI auditing research (SR2024.3) identifies clear assignment of responsibilities as an important precondition for accountability and effective oversight. Without such clarity, compliance with Article 50 may remain uneven across sectors and deployment contexts.

Recommendation Three: Ensure Disclosure Requirements for Interactive AI Systems are Adequate and Assessable

The IPIE welcomes the guidance in Section III on transparency obligations for AI systems that interact directly with natural persons. The following areas would benefit from additional clarification.

**Disclosure prominence and timing (Section 3.1.2)**

The Guidelines correctly state that users should be informed no later than the time of first interaction. The IPIE recommends that policymakers adopt the following additional measures:

- Require that disclosures are sufficiently prominent, accessible, and contextually appropriate to ensure that users notice and understand them before substantive engagement occurs.
- Provide additional guidance on good practices for periodic reminders and continued disclosure during longer interactions, particularly for AI companions, conversational agents, and agentic AI systems.
- Ensure that disclosure mechanisms are designed in ways that allow providers and competent authorities to assess whether they remain effective throughout the user journey.

**The obvious-interaction exception (Section 3.2.1)**

The IPIE recommends that policymakers clarify the scope of the obvious-interaction exception as follows:

- The exception should be interpreted restrictively where conversational AI systems engage in sustained, personalised, multi-turn dialogue or are designed to emulate human interaction.
- Clarify that the exception is unlikely to apply where conversational AI systems are deployed in high-risk contexts such as political engagement, public administration, or customer service and are designed in ways that may create ambiguity regarding whether the user is interacting with a human or an AI system.
- Include practical examples covering: AI systems used in electoral campaigns; AI assistants deployed by public authorities; and customer-facing AI using human-like personas, names, or avatars.

The IPIE's research on GenAI use in elections (TP2025.2) and AI-generated misinformation (SR2026.2) illustrates how human-like conversational systems can blur distinctions between human and AI interactions, reinforcing the importance of clear disclosure in these contexts.

Recommendation Four: Ground Marking and Detection Effectiveness in Empirical Evidence

The IPIE welcomes the guidance in Section IV on marking and detection obligations under Article 50(2). The following areas would benefit from further clarification.

The IPIE recommends the following measures:

- Ground the 'effectiveness' standard in empirical evidence rather than static technical specification. IPIE's SR2026.2 finds that effectiveness varies significantly depending on label design, wording, modality, presentation, and context.
- Clarify that assessments of effectiveness should take account of how marking performs across different content types, platforms, audiences, and linguistic and cultural contexts within the Union.
- Recognise that label design and wording are important components of effectiveness and should be addressed in future implementation guidance and relevant Codes of Practice.
- Support independent testing and evaluation of marking and detection solutions, including cooperation with researchers, civil society, and other relevant stakeholders, consistent with the approach reflected in the draft Code of Practice.
- Acknowledge that effectiveness may vary by modality, with image-based content often producing different user responses from text-based content, and that technical solutions may need to be adapted accordingly.
- Include AI-generated electoral content as a practical example, drawing on documented cases from EU Member States during 2024, including Romania and Ireland (TP2025.2).

For AI agents and immersive environments, the IPIE recommends persistent disclosure throughout the interaction (not only at the point of entry); context-appropriate disclosure for voice-based agents; and regular evaluation of marking and detection solutions as technologies and user behaviours evolve.

Recommendation Five: Strengthen Article 50(4) Requirements for Electoral and Public-Interest Content

The IPIE welcomes the guidance in Section VI on the labelling of deep fakes and AI-generated text. The following areas would benefit from further clarification.

The IPIE recommends the following measures:

- Clarify that AI-generated content relating to elections, candidates, political parties, electoral processes, and voting generally falls within the category of content published on matters of public interest under Article 50(4).
- Require that content provenance data — sufficient to enable independent researchers to identify AI-generated content and its origin — is retained by platforms and made accessible to auditors. Without researcher access to this data, compliance with Article 50(4) in electoral contexts cannot be independently verified.

- Clarify that the editorial-control exception requires substantive human review and genuine editorial responsibility over the final content. Minimal, purely formal, or automated review processes should not be sufficient to qualify for the exception.
- Include as practical examples the following European cases documented in IPIE's research:
- Romania, 2024 presidential election: use of AI-generated content as part of a coordinated influence campaign, illustrating the relevance of Article 50(4) disclosures in electoral contexts (TP2025.2).
- Ireland, 2024: the 'Irish Channel' network of anonymous accounts using GenAI tools to create and disseminate misleading political content, illustrating the importance of transparency and disclosure where AI-generated content is shared through pseudonymous accounts (TP2025.2).

These cases demonstrate the relevance of Article 50(4) to contemporary electoral and political communication and could help clarify the application of the provision to AI-generated content published on matters of public interest.


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