

14. RESPONSIBLE USE OF ARTIFICIAL INTELLIGENCE (AI)

14.1. INTRODUCTION

The integration of Artificial Intelligence (AI) into film and photo production offers unprecedented opportunities for innovation. However, this advancement also brings new responsibilities. As a result, BCP members have agreed to adopt a “Charter for the Responsible Use of AI in Commercials and Branded Content”.

This charter serves as a guide for the ethical and transparent use of AI, aiming to preserve the creative, human, and professional values of our industry.

14.2. CORE PRINCIPLES

Transparency

- The use of AI tools in the creative or production process must be openly communicated to all stakeholders, including Advertisers, Communication Agencies, directors, and technicians.
- Production Companies are responsible for informing Advertisers or their Communication Agencies about the specific role of AI in the production process.

Creativity and Human Expertise

- AI is solely employed to support human creativity, not to replace it.
- All decisions in the creative process remain under the control of human professionals.

Authenticity and Quality

- AI applications are only implemented when they enhance the authenticity and quality of the final product.
- Maintaining visual and narrative authenticity is a priority.

14.3. RESPONSIBILITY OF THE PRODUCTION COMPANY

Ethical Use of AI

AI introduces new opportunities in the production of commercials and branded content but also brings ethical challenges. Transparency, accountability, and respect for human creativity are key principles. Production Companies must ensure the ethical use of AI tools and proactively manage risks of misuse. The following guidelines serve as a framework for integrating AI responsibly within the industry:

- **Deepfakes and Synthetic Media:** AI can create realistic content, such as simulating faces or voices, that never occurred in reality. This raises ethical concerns regarding misinformation, unauthorized harmful content, and potential reputational damage to brands and companies. Transparency is essential to maintain public trust.
- **Replacement of Human Labor:** AI has the potential to replace certain roles in advertising film production, making processes more efficient and cost-effective. While this shift may be inevitable, it is vital to deploy AI in a way that respects the creative value of human talent. For instance, AI can handle repetitive or technical tasks while leaving creative and emotional aspects to human professionals. Balancing AI and human expertise is crucial to fostering both innovation and creativity in the industry.
- **De-aging Technology:** AI is increasingly used to make actors appear younger. This should always be done with the explicit consent of the actor, appropriate compensation, and clear communication to the audience to preserve the integrity of the production.
- **Voice Replacement:** AI can be used to modify or replace actors' voices, such as for localized dubbing or assistive technologies. Its use must always involve explicit consent and appropriate compensation, especially if the voice is used after the actor is no longer available.
- **Strategies to Address Bias:** Regular evaluation of datasets and AI algorithms is critical to minimizing biases in advertising film or branded content production. This promotes inclusive storytelling and greater diversity in representation.
- **Accountability:** We endorse systems that monitor and address biases in AI models. Additionally, mechanisms for reporting and correcting unethical AI usage are necessary.

Communication and Collaboration

- Production Companies inform clients about the capabilities, limitations, and implications of AI use.
- Collaboration among Production Companies, post-Production Companies, Advertisers, Communication Agencies, technology developers, and ethicists have a shared responsibility to establish clear guidelines and best practices for AI use in the industry.
- Efforts are being made to raise awareness within the sector.

Innovation and Integrity

- AI is encouraged as a means to provide innovative and efficient solutions without compromising the artistic integrity of the industry.

14.4. ENGAGEMENT WITH ADVERTISERS / COMMUNICATION AGENCIES

Fair Practice

- Production Companies work with Advertisers or their Communication Agencies to ensure fair working conditions and proper compensation, ensuring that the use of AI does not compromise the financial appreciation of creative and technical efforts

Data Use and Privacy

- Sensitive data, such as the use of faces or voices in AI tools, is strictly protected in compliance with applicable laws.

14.5. FUTURE OUTLOOK

BCP recognizes AI as a powerful tool for innovation in the production of commercials and branded content. By adhering to clear ethical guidelines and collaborating with all stakeholders, the industry strives for a future where creativity, technology, and human values remain balanced.

14.6. ENCLOSURE: GUIDELINES FOR AI USE

1. Copyright and Generative AI

- Any use of audiovisual works for training AI systems requires explicit permission from rights holders.
- Authors and Production Companies must establish agreements regarding the use of AI in creative contributions and productions.

2. Protection Against Text and Data Mining

- Commercials and branded content productions are safeguarded against unauthorized text and data mining that could infringe on intellectual property rights or confidentiality. Clear usage conditions must be established, such as through metadata or explicit terms and conditions during distribution. These measures ensure compliance with the rights and agreements of all involved parties.

3. Contractual Agreements

- Advertisers and Communication Agencies must not use AI to circumvent contractual obligations.

4. Measures in case of Misuse

- Violations of responsible AI use guidelines are considered serious breaches of professional standards and will be raised within the professional association BCP.