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Resolution on the Protection of personal likeness in the digital age

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Preamble

Technological progress should serve humanity by ensuring digital innovations support, not undermine, fundamental rights. While the EU AI Act[1] and GDPR[2] provide a foundation for data governance, the rapid rise of generative models and digital twins reveals regulatory gaps and fragmentation, requiring a more targeted framework to protect personal dignity.

This is no longer a theoretical concern. By 2026, Europol[3] warns that a significant share of online content may be synthetically generated. The sharp rise in deepfake incidents has contributed to the institutionalisation of the "Liar's Dividend," in which authentic information is often dismissed as false due to widespread AI-generated content.

The unauthorised replication of an individual's voice, face, and behavioural patterns, known as deepfakes, poses systemic risks to financial security, personal reputation, and democratic stability[4]. Although the Digital Services Act[5] sets important platform obligations, legal remedies for misuse of personal likeness remain fragmented, inconsistently enforced, and insufficiently adapted to generative AI technologies across Member States.

Taking into account that:

[1] https://eur-lex.europa.eu/eli/reg/2024/1689/oj
[2] https://eur-lex.europa.eu/eli/reg/2016/679/oj
[3] https://www.europol.europa.eu/cms/sites/default/files/documents/Europol_Innovation_Lab_Facing_Reality_Law_Enforcement_And_The_Challenge_Of_Deepfakes.pdf
[4] https://www.edps.europa.eu/sites/default/files/publication/18-03-19_online_manipulation_en.pdf
[5] https://eur-lex.europa.eu/eli/reg/2022/2065/oj

- According to Europol and the ENISA Threat Landscape 2025[6], AI-driven fraud using vocal deepfakes has surged, requiring minimal amounts of publicly available audio data to bypass certain security checks or conduct targeted extortion[7].
- Both the European Parliament[8] and Europol[9] report a sharp increase in non-consensual synthetic imagery involving minors, making the fight against AI-generated Child Sexual Abuse Material[10] a top law enforcement priority.
- Law enforcement authorities are increasingly confronted with the "deepfake defence"[11], where authentic evidence is dismissed as AI-generated, thereby undermining judicial proceedings and eroding trust in the rule of law.

We recognise that:

Digital identity is more than a collection of data; it is a direct extension of the individual. A person's likeness, including biometric templates and vocal characteristics, forms what can be described as a "digital twin"[12], which is increasingly relevant to the protection of privacy and personal autonomy under Article 8 of the European Convention on Human Rights[13].

AI-enabled misuse of these traits threatens the security of all citizens, especially young people[14], who face higher risks of cyberbullying and image-based sexual abuse. We affirm that human dignity must take precedence over technological advancement.

Personal likeness is a distinct legal interest that requires protection through explicit, informed, and revocable consent. We also recognise the importance of freedom of expression; therefore, protection measures must allow legitimate satire and parody[15], as long as such content is clearly and non-deceptively labelled as synthetic. This must be ensured without disproportionately restricting artistic expression, journalism, and legitimate satire.

Acknowledging that:

- Generative AI has evolved faster than existing personality rights frameworks, creating a legal grey area where identities can be reproduced or commercialised without the individual's involvement.
- Biometric data[16] is a special category under the GDPR, but synthesising this data into realistic digital personas requires stronger protection.

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[6] https://www.enisa.europa.eu/sites/default/files/2026-01/ENISA%20Threat%20Landscape%202025_v1.2.pdf
[7] https://www.europol.europa.eu/publications-events/publications/chatgpt-impact-of-large-language-models-law-enforcement
[8] https://www.europarl.europa.eu/RegData/etudes/BRIE/2025/769570/EPRS_BRI(2025)769570_EN.pdf
[9] https://www.europol.europa.eu/crime-areas/child-sexual-exploitation
[10] https://eur-lex.europa.eu/eli/dir/2011/93/oj
[11] https://www.europol.europa.eu/cms/sites/default/files/documents/Europol_Innovation_Lab_Facing_Reality_Law_Enforcement_And_The_Challenge_Of_Deepfakes.pdf
[12] https://digital-strategy.ec.europa.eu/en/library/ethics-guidelines-trustworthy-ai
[13] https://fra.europa.eu/en/law-reference/european-convention-human-rights-article-8-0
[14] https://fra.europa.eu/en/publication/2026/child-protection-social-media
[15] https://eur-lex.europa.eu/eli/reg/2024/1689/oj
[16] https://www.europarl.europa.eu/RegData/etudes/STUD/2021/696968/IPOL_STU(2021)696968_EN.pdf

- The rapid spread of non-consensual synthetic imagery seriously affects the psychological well-being, safety, and professional prospects of young Europeans.
- Transparency is essential for digital trust[17]. Citizens must be able to verify the source of digital content, including through interoperable technical standards and platform accountability mechanisms.

YEPP calls upon:

- The European Commission to develop a framework for the protection of personal likeness, ensuring consistent safeguards across Member States. This would protect people's physical identity and AI-made versions from unauthorised use.
- The European Parliament to ensure that any use of a person's likeness in AI training or synthetic media is based on explicit, purpose-specific, and easily revocable consent, by clarifying and strengthening the "right to be forgotten" under GDPR in the context of AI systems, ensuring that individuals can effectively exercise control over the use of their personal likeness in training data and synthetic outputs. This should include effective and enforceable remedies, such as the deletion of unlawfully processed data[18], proportionate technical mitigation measures (including unlearning where feasible), output suppression, and compensation mechanisms, in line with fundamental rights and due process.
- Member States and digital platforms to fully implement and strengthen existing Digital Services Act mechanisms, ensuring rapid and effective takedown mechanisms for non-consensual deepfake content, particularly in cases involving minors[19] or sexual content.
- Member States to ensure that malicious and harmful AI-enabled identity misuse[20], including fraud, impersonation, and non-consensual sexualised content, is effectively addressed through proportionate criminal and civil measures.
- The European Commission to protect democratic integrity by introducing clear transparency, labelling, and traceability requirements for synthetic likenesses in political advertising, and consider additional safeguards during electoral periods, in line with the Regulation on Political Advertising[21].
- The European Commission to support EU-funded initiatives for media literacy and promote the development of technological solutions, including watermarking and provenance verification systems (such as C2PA[22]), promoting EU-wide interoperability and adoption across platforms through common technical standards, to enable citizens to verify the authenticity of digital content.

Conclusion

Protecting our digital identities is one of Europe's defining challenges of the digital age. As AI advances, our faces and voices must remain symbols of truth and personal sovereignty. We

[17] https://digital-strategy.ec.europa.eu/en/policies/online-disinformation
[18] https://www.edpb.europa.eu/system/files/2024-05/edpb_20240523_report_chatgpt_taskforce_en.pdf
[19] https://fra.europa.eu/sites/default/files/fra_uploads/fra-2020-artificial-intelligence_en.pdf
[20] https://rm.coe.int/conventions-on-cybercrime-the-budapest-convention-and-the-draft-un-tre/1680b1631a
[21] https://eur-lex.europa.eu/eli/reg/2024/900/oj
[22] https://c2pa.org/

urge the EU to set high global standards for digital personal integrity. Protecting one's likeness supports trust, freedom, and democracy. It is a foundation for trustworthy, human-centred innovation.