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Legal Protection of Copyright for Artistic Works Generated by Generative AI Based on Copyright Law

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ABSTRACT: The rapid diffusion of generative AI tools like Midjourney and DALL·E challenges the doctrinal foundations of copyright law, which traditionally requires human intellectual creativity. This article examines how Law No. 28 of 2014 on Copyright (UUHC) regulates legal protection for AI-generated artistic works, comparing Indonesia's normative position with the United States, United Kingdom, European Union, and China. Using a normative juridical method with statutory, conceptual, and comparative approaches, this study finds that the UUHC's definition of "*Pencipta*" presupposes a natural person. Consequently, autonomous AI outputs without demonstrable human creative contribution fail to satisfy the required originality standard. Comparative analysis reveals a spectrum of responses: the strict US human authorship doctrine, the UK's sui generis "computer generated works" regime, and China's case by case recognition based on substantial personalized selection. The study recommends that Indonesia amend the UUHC to clarify human contribution thresholds, mandate disclosure obligations for AI content, adopt a hybrid ownership model vesting initial rights in the prompting user, and integrate technological accountability mechanisms like provenance watermarking to protect human artists' interests.

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I. INTRODUCTION

Advances in generative artificial intelligence have transformed the way visual art is conceived, produced, and disseminated. Diffusion based and transformer based models can now translate a short natural language prompt into a finished image that rivals, and in some contexts surpasses, works created through conventional artistic techniques. This capability has generated substantial commercial value for the creative economy, but it has simultaneously produced considerable anxiety among human artists, whose stylistic signatures are frequently reproduced, remixed, or approximated by models trained on vast, often non consensual, datasets of copyrighted images (Rai et al., 2025). Empirical accounts of the professional art community confirm that generative AI is already reshaping livelihoods, disrupting commissioning practices, and eroding the market value of distinctive artistic styles, thereby intensifying calls for clearer legal accountability mechanisms (Jiang et al., 2023).

The uncertainty is not confined to economic questions; it extends to the very heart of copyright doctrine, namely the requirement of human authorship. Comparative legal scholarship has documented a series of landmark administrative and judicial decisions including the refusal of the United States Copyright Office to register the AI-generated illustrations in *Zarya of the Dawn*, the rejection of *Théâtre D’opéra Spatial*, and the contrasting Chinese ruling in *Li v. Liu*, which recognized copyright in an AI-assisted image on the basis of the user’s substantial personalized prompting choices illustrating that jurisdictions around the world are still searching for a coherent doctrinal response to generative creativity (Saw & Lim, 2026). These divergent outcomes matter for Indonesia because the archipelago’s creative industries, from digital illustration to advertising and game design, are rapidly adopting generative tools, yet the domestic legal framework, Law Number 28 of 2014 concerning Copyright, was drafted before generative AI existed as a mass market technology and therefore contains no explicit provision addressing it (Wibowo, 2023).

Under Article 1 point 2 of the UUHC, a “*Pencipta*” (Author) is defined as one or more persons who, individually or jointly, produce a creation that is distinctive and personal in character. Article 40 subsequently enumerates the categories of protected works, all of which are historically understood to originate from human intellectual labor. When a generative AI system autonomously determines composition, color, texture, and form in response to a minimal prompt, it becomes doctrinally uncertain whether the resulting image can be attributed to a human “*Pencipta*” at all, and if not, whether the work falls into the public domain, belongs to the AI developer, or belongs to no one (Yuniar Ekawardani & Cholil, 2025). This uncertainty is compounded by the fact that Indonesian copyright registration remains declarative rather than constitutive, meaning that legal

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disputes over AI-assisted works are likely to be litigated only after infringement has already occurred, at which point courts will have no clear statutory guidance to apply.

The problem is further complicated by the “originality” requirement itself. Classical copyright theory conceives of originality as the imprint of an author’s personality, judgment, and creative choices on a tangible expression. Generative AI models, however, generate outputs through statistical pattern recombination learned from training data, raising the question of whether a user’s textual prompt however detailed constitutes the kind of creative choice that originality doctrine was designed to protect, or whether it is merely an idea that the AI system, not the human, actually executes and therefore fails to satisfy the expression/idea dichotomy (Mazzi, 2024). Scholars remain divided: some argue that sufficiently detailed, iterative, and curatorial prompting should be recognized as authorship analogous to a photographer’s control over a camera, while others insist that because the AI system not the human determines the specific expressive elements of the final output, human authorship is necessarily absent (Mazzi, 2024).

Given this legal vacuum, the present study addresses two research questions. First, how does the Indonesian Copyright Law, Law Number 28 of 2014, regulate or fail to regulate legal protection for artistic works produced with the assistance of generative AI? Second, what lessons can be drawn from comparative jurisdictions in formulating a coherent and forward looking regulatory response for Indonesia? The purpose of this research is to analyze the conformity of Indonesia’s positive law with the development of generative AI in the domain of intellectual property, specifically copyright, and to propose a normative framework that balances innovation incentives with the protection of human creators’ economic and moral interests. The novelty of this study lies in its integration of doctrinal analysis of the UUHC with a systematic comparison of four major jurisdictions and its proposal of a hybrid ownership and accountability model tailored to Indonesia’s declarative registration system.

II. METHOD

This research employs a normative juridical (*yuridis normatif*) method, which examines law as a coherent system of norms rather than as a social phenomenon to be measured empirically. This approach is appropriate because the central problem of the research is doctrinal: whether existing statutory provisions can accommodate a new technological phenomenon, and if not, how they ought to be reformulated (Silvana & Suyanto, 2023). Three complementary approaches are combined within this normative framework.

First, the statutory approach (*pendekatan perundang-undangan*) is used to examine the text of Law Number 28 of 2014 concerning Copyright, together with relevant implementing regulations, and to situate these provisions within Indonesia’s obligations under the Berne Convention for the Protection of Literary and Artistic Works and the Agreement on Trade Related Aspects of Intellectual Property Rights (TRIPS). Second, the conceptual approach (*pendekatan konseptual*) is applied to unpack foundational

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copyright concepts authorship, originality, fixation, and ownership as they have been elaborated in Indonesian and international legal scholarship, in order to test whether generative AI outputs can be subsumed within these concepts without distortion (Abdi & Adhari, 2025). Third, the comparative approach (*pendekatan perbandingan*) is used to analyze how the United States, the United Kingdom, the European Union, and China regulate the copyrightability of AI-generated and AI-assisted works, allowing the identification of regulatory models that may be adapted to the Indonesian context (Raharja et al., 2024).

The legal materials used in this study consist of primary, secondary, and tertiary sources. Primary legal materials include Law Number 28 of 2014 concerning Copyright, the Berne Convention, the TRIPS Agreement, the United States Copyright Act of 1976 together with the United States Copyright Office's 2023 registration guidance, the United Kingdom's Copyright, Designs and Patents Act 1988, and the European Union's Artificial Intelligence Act insofar as it intersects with copyright obligations. Secondary legal materials consist of peer-reviewed national and international journal articles, books, and institutional reports concerning generative AI and copyright law, several of which are cited throughout this article. Tertiary materials include legal dictionaries and indexing tools used to verify terminology.

Data collection was conducted through library research (*studi kepustakaan*), by tracing and compiling relevant statutory texts and scholarly literature indexed in reputable national (Sinta accredited) and international (Scopus indexed) databases. The collected legal materials were then analyzed using a qualitative, descriptive prescriptive technique of analysis: the descriptive stage maps the current normative condition of Indonesian copyright law regarding AI-generated works, while the prescriptive stage evaluates the adequacy of that condition against comparative benchmarks and formulates recommendations for legal reform. Legal interpretation methods, particularly systematic and teleological interpretation, are employed to reconcile the text of the UUHC with the underlying purposes of copyright protection, namely the incentivization of human creativity and the protection of creators' economic and moral interests.

III. RESULT AND DISCUSSION

Originality and the Human Authorship Requirement under the UUHC

The starting point for any analysis of AI-generated artistic works under Indonesian law is Article 1 point 2 of the UUHC, which defines a *Pencipta* as one or more persons who individually or jointly produce a creation that is distinctive and personal in character (*bersifat khas dan pribadi*). This phrase embeds two cumulative requirements: distinctiveness, which corresponds to originality in the sense of a minimal threshold of creative variation, and personal character, which presupposes that the work reflects the intellectual and expressive choices of an identifiable human being (Wibowo, 2023). Article 40 of the UUHC then lists protected categories of works, including paintings,

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drawings, and other works of fine art, without qualifying whether the creative process must be entirely manual or may involve technological assistance.

Historically, Indonesian courts and the Directorate General of Intellectual Property have applied this framework comfortably to works created with the assistance of tools such as cameras, editing software, and digital tablets, because in each of those cases a human being retains substantive control over the expressive elements of the final work. Generative AI disrupts this settled understanding because, once a prompt is submitted, the diffusion or transformer model not the human user determines the specific arrangement of color, form, composition, and stylistic detail that constitutes the expressive core of the resulting image. This is precisely the distinction drawn in comparative scholarship between AI-assisted works, which involve substantial human creative control over the final expression, and AI-generated works, which are produced autonomously by the system with only *de minimis* human input (Mazzi, 2024). Under a strict textual reading of Article 1 point 2 of the UUHC, only the former category can satisfy the “personal character” requirement, because only there can the resulting expression be causally and substantively traced to an identifiable human author’s creative judgment.

This textual reading is reinforced by the philosophical foundations of copyright law, which locate the justification for protection in the author’s exercise of free and creative choice among a range of possible expressive outcomes. Where an AI system, rather than a human, exercises that choice selecting brushstroke patterns, palette, and composition through its own trained statistical parameters the causal link between human intention and expressive outcome becomes attenuated, and originality in the copyright sense becomes difficult to establish, regardless of how creative or elaborate the user’s textual prompt may have been (Mazzi, 2024). At the same time, it would be doctrinally inconsistent to deny protection to every work that involves any AI assistance whatsoever, since contemporary digital art routinely uses AI-powered brushes, upscalers, and colorcorrection tools without controversy. The decisive question, therefore, is not whether AI was used, but the degree and nature of human creative control retained over the final expressive output.

Comparative Perspectives on the Copyrightability of Generative AI Outputs

A comparative examination of four jurisdictions illuminates the range of regulatory choices available to Indonesian lawmakers. In the United States, the Copyright Office’s 2023 registration guidance adopts a strict human authorship doctrine: copyright protection may be claimed only for the human authored elements of a work, and applicants must identify and disclaim any AI-generated portions. Applying this doctrine, the Copyright Office refused registration for the AI-generated illustrations in *Zarya of the Dawn* while preserving protection for the human authored text and the overall selection and arrangement of the graphic novel; it likewise refused registration for *Théâtre D’opéra Spatial* and for *SURYAST*, an image combining a user’s original photograph with a style

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derived from an existing artwork, because in each case the AI system, not the human applicant, determined the expressive elements of the output (Saw & Lim, 2026). This approach privileges legal certainty and doctrinal continuity but risks leaving a growing share of commercially valuable creative output entirely unprotected, a concern that has led some scholars to argue in favor of recognizing AI authorship, at least in circumstances where no identifiable human contribution can be isolated, in order to prevent a protection gap that could disincentivize investment in creative AI applications (Saw & Lim, 2026).

The United Kingdom offers a markedly different model. Section 9(3) of the Copyright, Designs and Patents Act 1988 provides that for a computer generated work in which there is no human author, the person who undertakes the arrangements necessary for the creation of the work is deemed to be the author. This *sui generis* approach was proposed decades before generative AI became commercially significant, yet it anticipates precisely the scenario now at issue, and it has renewed relevance as a possible template for jurisdictions seeking to grant a modest form of protection to purely AI-generated works without abandoning the human authorship principle for AI-assisted works (Brown, 2019). Under this model, a work generated with no identifiable human creative contribution can nonetheless be owned by the natural or legal person who configured, operated, or commissioned the AI system that produced it, though typically with a shorter protection term and without moral rights attached, reflecting the diminished authorial contribution involved.

The European Union has thus far avoided directly legislating the copyrightability of AI outputs, choosing instead to regulate the upstream training process. Under Articles 53(1)(c) and (d) of the EU Artificial Intelligence Act, providers of general purpose AI models must adopt a policy to comply with Union copyright law, including honoring machine-readable reservations of rights under the text and data mining exception, and must produce a sufficiently detailed summary of the copyrighted content used for training (Peukert, 2024). This approach fuses copyright compliance obligations with systemic AI-regulatory obligations, shifting part of the accountability burden to AI developers rather than resolving the copyrightability question for outputs, and it illustrates a regulatory strategy that Indonesia could adapt even without immediately resolving the authorship question for AI-generated artworks (Peukert, 2024).

China has taken the most output protective stance among the compared jurisdictions. In the widely discussed *Li v. Liu* decision, the Beijing Internet Court held that an AI-generated image was copyrightable and that the individual who authored the prompts was entitled to authorship, on the ground that the user's selection of prompts, parameters, and iterative refinements reflected sufficient personalized intellectual choices to satisfy originality, a position subsequently echoed by other Chinese courts (Saw & Lim, 2026). This case by case, contribution sensitive approach avoids a categorical exclusion of AI-assisted works but places significant evidentiary weight on the user's ability to

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demonstrate the creative significance of their prompting process, a burden that may be difficult to discharge in practice given the frequently iterative and exploratory nature of prompt engineering.

Read together, these four models reveal a spectrum: the United States and, by extension, Indonesia's current textual position sit at the restrictive end, requiring clear and substantial human authorship; the United Kingdom occupies a middle position that offers residual protection to purely AI-generated works through an arranger-based fiction; the European Union addresses the problem obliquely through upstream transparency obligations rather than output-side authorship rules; and China sits at the permissive end, extending protection wherever a user's prompting choices can be shown to be sufficiently personalized. Indonesia's legislature must decide where along this spectrum its policy should be positioned, taking into account both the country's obligations under the Berne Convention's requirement of a "creator" and its domestic policy interest in incentivizing the growth of its digital creative economy.

Legal Status of Generative AI Art under Indonesian Law: Mapping the Legal Vacuum

Applying the comparative insights above to the Indonesian context reveals a genuine regulatory vacuum. The UUHC contains no provision addressing artificial intelligence, whether as a tool, a co-creator, or an autonomous generator, and Indonesian legal scholarship has consistently identified this silence as a source of significant legal uncertainty for creators, platforms, and commercial users alike (Abdi & Adhari, 2025). This uncertainty manifests in at least three dimensions. The first concerns the copyrightability of the output itself: because the UUHC's definition of *Pencipta* presupposes human personal character, works generated with minimal human input arguably fall outside protection altogether, leaving them vulnerable to unauthorized commercial exploitation without any statutory redress for the party who invested time, resources, and creative direction into producing them (Raharja et al., 2024).

The second dimension concerns liability for infringement arising from AI-assisted works that are commercialized without proper attribution or licensing. Where a generative AI system produces an image that closely mimics the recognizable style or specific protected elements of an existing artist's portfolio, and that image is subsequently sold or licensed commercially, Indonesian legal scholars have observed that current enforcement mechanisms under the UUHC are ill equipped to allocate liability among the user who wrote the prompt, the platform that hosts the AI model, and the developer who trained the underlying model on the original artist's copyrighted works (Andanni & Santoso, 2025). This gap is particularly acute because Indonesian copyright registration remains declarative, meaning that disputes are typically adjudicated only after alleged infringement has occurred, without the benefit of a prior registration process that could have flagged the AI-assisted nature of the work.

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The third dimension concerns the ambiguous legal status of the AI system itself. Although no serious scholarly position advocates recognizing AI as a legal subject capable of holding copyright, Indonesian commentators have nonetheless found it necessary to clarify, as a matter of statutory interpretation, that AI systems cannot be classified as intellectual property “subjects” bearing rights and obligations, but must instead be treated strictly as tools whose outputs are attributable, if at all, to the natural or legal persons who operate them (Anom & Puspita, 2025). This clarification, while doctrinally uncontroversial, does not by itself resolve the harder question of which human party if any qualifies as the *Pencipta* of a given AI-assisted output.

A promising line of Indonesian scholarship addresses this harder question by analogizing the prompting user’s role to that of a photographer who exercises creative control over framing, lighting, and timing through a mechanical device. Under this view, a user who engages in detailed, iterative, and deliberately curated prompting refining wording, adjusting parameters, selecting among multiple generated outputs, and making subsequent editorial modifications exercises a degree of creative judgment functionally analogous to traditional authorship, and should accordingly be recognized as the *Pencipta* of the resulting work, provided that the extent of AI-generated content is transparently disclosed (Arifin et al., 2025). This “substantial contribution” standard offers a workable middle path between the restrictive US position and the permissive Chinese position, and it aligns well with the UUHC’s existing textual requirement of “personal character,” because it ties protection to demonstrable human creative judgment rather than to the mere act of typing a prompt.

A further complication arises on the input side of generative AI systems, namely the use of copyrighted artistic works as training data without the consent of the original artists. Under Article 9 of the UUHC, an author holds the exclusive economic right to reproduce and adapt their work, and the large scale reproduction of copyrighted images for the purpose of training a commercial generative model arguably falls within the scope of this exclusive right, subject only to the narrow limitations enumerated in Articles 43 through 51 of the UUHC, none of which was drafted with machine learning training in mind (Rai et al., 2025). Because generative models can subsequently produce outputs that closely echo the stylistic signatures of specific training artists, affected artists face a documented erosion of commissioning opportunities and market value, reinforcing the argument that Indonesian law must address both the output-side authorship question and the input side reproduction question in any future reform (Jiang et al., 2023).

Ownership Models and the Work Made for Hire Doctrine

Assuming that a given AI-assisted artwork clears the originality threshold through substantial human creative contribution, a further question concerns who should be recognized as the legal owner where multiple parties are involved, namely the prompting user, the employer or client who commissioned the work, and the developer of the

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underlying AI model. Indonesian scholars have proposed adapting the doctrine of “work made for hire,” historically used to allocate copyright ownership between employees and employers, to the tripartite relationship created by generative AI (Silvana & Suyanto, 2023). Under this proposal, where an employee uses a generative AI tool within the scope of employment to fulfill a commissioned creative task, ownership of the resulting work to the extent it is protectable vests in the employer, consistent with the existing treatment of employee created works under the UUHC, while the AI developer retains no ownership claim over individual outputs but may separately enforce its own intellectual property rights over the underlying software and model architecture (Gemilang et al., 2025).

This doctrinal extension is attractive because it does not require wholesale revision of the UUHC’s ownership provisions; it merely requires clarifying, through implementing regulation or authoritative interpretation, that the “work made for hire” framework applies equally where the employee’s creative labor is mediated through a generative AI tool, provided the employee’s role in directing, curating, and finalizing the output satisfies the substantial contribution standard discussed above. For independent or freelance users operating outside an employment relationship, ownership should presumptively vest in the prompting user, consistent with the photographer analogy, subject to a statutory disclosure obligation requiring the user to identify the AI tool used and to attest to the extent of their creative contribution at the point of registration or commercial exploitation (Ikhsan et al., 2025).

This disclosure obligation serves two purposes. First, it provides evidentiary clarity for future disputes, allowing courts and the Directorate General of Intellectual Property to assess, on a documented record, whether the substantial contribution threshold has been met. Second, it protects downstream licensees and purchasers of AI-assisted artworks from unwittingly acquiring rights in a work that may later be found unprotectable, thereby reducing transactional risk in the growing market for AI-assisted commercial art. A comparable disclosure logic already underlies the United States Copyright Office’s requirement that applicants disclaim AI-generated portions of a work, and its adaptation into Indonesian practice would not represent a significant doctrinal departure but rather a procedural safeguard consistent with the UUHC’s existing declarative registration philosophy (Saw & Lim, 2026).

Technological and Institutional Mechanisms for Protection and Accountability

Beyond doctrinal reform, effective protection of both AI-assisted creators and the human artists whose works inform AI training requires technological and institutional accountability mechanisms. Recent research proposes quantitative, multi-modal attribution frameworks capable of measuring the degree to which a specific artist’s style is reflected in a given AI output, thereby enabling proportionate royalty distribution to the artists whose work has been used, whether knowingly or not, to shape a model’s generative capacity (Rai et al., 2025). Such frameworks respond directly to the

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accountability gap identified by empirical studies of the AI art community, which document artists' concerns about the uncompensated use of their creative labor to train commercial models (Jiang et al., 2023).

Complementary technological measures include blockchain-based provenance systems, which can create an immutable record of an artwork's creation history, ownership chain, and licensing status, thereby facilitating enforcement and reducing disputes over authenticity and attribution (Jiang, Sui, Lin, & Han, 2020). Similarly, robust content identification and manipulation-detection frameworks can help distinguish AI-generated or AI-manipulated images from wholly human-authored works, supporting both copyright enforcement and consumer protection against deceptive practices in the digital art marketplace (Kim, Heo, Kang, Kang, & Lee, 2021). Integrating these technological tools into Indonesia's copyright registration infrastructure for instance, by requiring or incentivizing the attachment of provenance metadata at the point of voluntary registration would strengthen the evidentiary basis for the disclosure obligations proposed above without requiring the Directorate General of Intellectual Property to independently verify the technical origin of every submitted work.

At the institutional level, Indonesia could draw on the European Union's transparency based regulatory strategy, which requires providers of general purpose AI models to maintain and publish sufficiently detailed summaries of the copyrighted content used in training and to implement policies for honoring rights reservations expressed by copyright holders (Peukert, 2024). Even in the absence of a domestic AI-specific statute comparable to the EU AI Act, Indonesia could achieve similar ends through targeted amendments to the UUHC's licensing and collective management provisions, requiring AI developers operating in or serving the Indonesian market to disclose training data sourcing practices and to participate in a collective licensing or royalty pooling scheme analogous to those historically used for musical works, thereby distributing compensation to affected visual artists even where individual attribution is technically infeasible.

Finally, ongoing international debate about whether AI systems themselves should ever be recognized as authors, however remote a possibility, illustrates the importance of anchoring any Indonesian reform explicitly to human involvement. Scientific publishing norms have already converged on the principle that AI tools cannot be listed as authors of scholarly works, precisely because authorship entails accountability that only a human or legal person can bear (Hufton, 2023). This principle, developed in the adjacent context of academic publishing ethics, reinforces the broader copyright policy argument that legal authorship and the rights and responsibilities it carries should remain tethered to identifiable, accountable human or corporate persons, even as the tools those persons use become increasingly autonomous.

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The Urgency of Reforming Law Number 28 of 2014

The preceding analysis demonstrates that Law Number 28 of 2014 concerning Copyright, as currently written, is doctrinally capable of protecting AI-assisted works where substantial human creative contribution can be demonstrated, but offers no clear pathway for works that are substantially or entirely AI-generated, and provides no explicit mechanism for addressing the upstream use of copyrighted training data or for allocating liability among the multiple parties involved in generative AI's creative pipeline. This gap creates genuine urgency for legislative reform, both to provide legal certainty for Indonesia's rapidly growing digital creative economy and to fulfill the UUHC's underlying purpose of incentivizing and protecting human creativity (Yuniar Ekawardani & Cholil, 2025).

Drawing on the comparative and doctrinal analysis above, this study recommends four specific reforms. First, the definition of *Pencipta* in Article 1 point 2 of the UUHC should be clarified through an explanatory provision or implementing regulation specifying that a human user who exercises substantial, demonstrable, and disclosed creative control over an AI-assisted work through iterative prompting, selection, and post generation modification satisfies the "personal character" requirement, while purely autonomous AI outputs, absent such contribution, remain outside the scope of copyright protection consistent with the Berne Convention's human-creator premise (Mazzi, 2024). Second, Indonesia should consider introducing a limited, UK-style *sui generis* protection category for wholly AI-generated works that possess independent commercial value but lack an identifiable human author, vesting ownership in the person who undertook the necessary arrangements for the work's creation, subject to a shorter protection term and the exclusion of moral rights, thereby closing the protection gap identified by proponents of AI authorship without abandoning the human-authorship principle for the general body of copyright law (Brown, 2019).

Third, the UUHC should incorporate a mandatory disclosure obligation, modeled on the United States Copyright Office's disclaimer requirement, obliging creators to identify the use of generative AI tools and to describe the nature of their creative contribution at the point of voluntary registration or commercial licensing, thereby generating an evidentiary record that facilitates dispute resolution and reduces transactional risk for downstream licensees. Fourth, Indonesia should address the input side training data problem by amending the limitations provisions of Articles 43 through 51 of the UUHC to clarify whether and under what conditions the reproduction of copyrighted works for AI training purposes falls within a permissible exception, and, if such an exception is granted, by pairing it with a mandatory transparency and collective licensing mechanism analogous to the European Union's approach, ensuring that affected artists retain a meaningful economic stake in the commercial exploitation of models trained on their work (Peukert, 2024); (Fischman-Afori, 2026). This last recommendation is reinforced by scholarship revisiting the doctrine of adaptation and derivative works, which argues that copyright's

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traditional reproduction-centered analysis is ill suited to capture the non-literal, diffuse forms of creative reliance characteristic of generative AI, and that a revised adaptationrights framework is needed to govern these more attenuated forms of creative influence (Fischman-Afori, 2026).

Taken together, these four reforms would move Indonesian copyright law toward a calibrated middle position on the international spectrum identified in Section III.B: more protective of AI-assisted human creativity than the strict United States approach, more doctrinally conservative than China's permissive case by case recognition, and institutionally reinforced by the European Union's transparency based accountability mechanisms, while remaining textually anchored to the UUHC's existing, and doctrinally sound, requirement that a protected work bear the distinctive and personal imprint of an identifiable human creator.

IV. CONCLUSION

This study has examined the legal protection available under Indonesian copyright law for artistic works generated with the assistance of generative artificial intelligence, and has situated Indonesia's normative position within a broader comparative landscape spanning the United States, the United Kingdom, the European Union, and China. The analysis demonstrates that Law Number 28 of 2014 concerning Copyright, through its definition of *Pencipta* as a person who produces a creation of distinctive and personal character, is capable of extending protection to AI-assisted artistic works where a human user exercises substantial, demonstrable creative control over the final expression, but offers no clear protection for works that are substantially autonomous products of a generative AI system, and contains no provision addressing the liability, licensing, or compensation implications arising from the use of copyrighted artworks as AI training data. This regulatory silence generates genuine legal uncertainty for Indonesia's digital creative economy, exposing both AI-assisted creators and traditional human artists to unpredictable litigation risk and uncompensated exploitation.

Comparative analysis reveals no single, universally adopted solution, but rather a spectrum of regulatory strategies, from the United States' strict human authorship doctrine, to the United Kingdom's arranger based *sui generis* protection for computergenerated works, to the European Union's upstream transparency obligations under the AI Act, to China's permissive recognition of copyright based on the personalized creative significance of a user's prompting process. Drawing on these comparative insights, this study recommends that Indonesia reform the UUHC to clarify the human contribution threshold for AI-assisted works, introduce a limited *sui generis* category for purely AIgenerated outputs, impose a mandatory AI-use disclosure obligation at the point of registration or licensing, and establish transparency and collective licensing mechanisms to compensate artists whose copyrighted works are used to train commercial generative AI models. Implementing these reforms would align

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Indonesian copyright law with the technological realities of generative AI while preserving the doctrine's foundational commitment to protecting genuine human creativity. Future research should empirically examine how Indonesian courts and the Directorate General of Intellectual Property handle emerging disputes involving AI-assisted artistic works, in order to test and refine the normative framework proposed in this study.

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