

Syka Ventures UG (haftungsbeschränkt)—written evidence (IOS0009)

House of Lords Communications and Digital Select Committee inquiry: The Online Safety Act: implementation and impact

This submission responds to Question 13 on how well the existing online safety framework can respond to emerging harms and technologies. The recommendations at paragraphs 15 to 18 also bear on Questions 11 and 12.

Declaration on the use of generative AI

1. A generative AI tool was used to assist with drafting and structuring the language of this submission. It did not produce the underlying measurement. The data collection, the review of official sources, the figures and the recommendations are the author's own, and the author takes full responsibility for the accuracy of everything stated here.

Declaration of interest

2. Syka Ventures UG (haftungsbeschränkt) is a two-person company registered in Hofgeismar, Germany (HRB 20602, Amtsgericht Kassel). It operates the public research site i6eal.de and also sells advisory services on EU AI Act compliance. The datasets and tools referred to in this submission are published free of charge under a CC BY 4.0 licence. This submission is original and has not been published elsewhere.

Summary

3. The EU has begun applying transparency and marking obligations to synthetic content under Article 50 of the EU AI Act. The United Kingdom is considering how its own online safety framework should respond to synthetic media. This submission offers one piece of comparative evidence, drawn from watching the EU regime arrive in real time: not whether providers comply, but whether compliance can be verified from outside.

4. Our finding is about timing and coverage, and it cuts both ways. The European Commission did publish the public anchor that makes the duty checkable, the register of signatories to the Code of Practice on Transparency of AI-generated Content, on 31 July 2026, two days before Article 50 became applicable on 2 August 2026. That is a real delivery and we say so plainly. But it arrived nine days after our first measurement found nothing, on a date that had not been announced in advance, and it covers substantially fewer providers than the equivalent Article 53 anchor.

5. The lesson for the UK is narrow and practical: a marking or provenance duty is only as strong as the public record that makes it checkable, and that record needs a legislated date, not merely an eventual existence.

About the measurement

6. We maintain a public monitor of publicly locatable evidence for EU AI Act transparency obligations, the [AI Transparency Evidence Monitor](#). It covers 24 providers: the 23 signatories of the transparency and copyright chapters of the General-Purpose AI Code of Practice, plus one provider participating in the safety chapter only.

7. The monitor tracks two lanes. The Article 53 lane covers general-purpose AI transparency, with three evidence slots per provider, 72 in total. The Article 50 lane covers synthetic content under Article 50(2), (4) and (5), with two evidence slots per provider, 48 in total.

8. The method is deliberately conservative. The monitor does not assess legal compliance. A slot is recorded as not publicly located only after a documented review of named official sources has failed to find public evidence attributable to that provider. "Not publicly located" means only that: not named in the relevant published official source on the review date. Slots not yet reviewed are recorded separately and are never counted as failures.

What we found

9. At our baseline of 22 July 2026, the Article 53 lane had 24 of 72 slots publicly located. Public evidence of general-purpose AI transparency existed and was findable. In the Article 50 lane, 0 of 48 slots were publicly located, and the signatory register did not exist. Any deployer, regulator or researcher asking who was bound by the synthetic-content code had nothing public to consult.

10. On 31 July 2026 the Commission published that register, reporting approximately 190 signatories. We re-reviewed our corpus against it on 6 August 2026. Of our 24 providers, 10 are named on the Article 50 register and 14 are not. The remaining 24 Article 50 slots, which concern the actual marking and detection information rather than the signature, have not yet been reviewed and we make no claim about them.

11. We draw no inference about compliance from any of this, and we ask the Committee not to either. The 14 providers not on the register may have no synthetic-content obligations, or may meet them without signing a voluntary code. The point is different and, for a legislature, more important: the public means of checking arrived two days before the duty did, on an unannounced date, and it does not cover the same population as the equivalent anchor for the neighbouring obligation.

Why this matters for the Online Safety Act

12. Provenance duties differ from most online safety duties in one respect: they are supposed to produce an artefact, a machine-readable marker, a detection interface, a published policy, that exists independently of the regulator's own investigatory powers. That artefact is what allows downstream actors, including platforms subject to UK duties, to act on upstream signals without bilateral agreements.

13. If that artefact is not publicly locatable, or if it appears only when the regulator chooses, the duty degrades into a private matter between the regulator and each provider. Downstream platforms cannot plan against it. A UK platform preparing for a marking duty needs to know not only that a register will exist, but when, because compliance systems are built months before a duty applies, not two days.

14. We would also caution against treating automated detection as a substitute. We operate a [free public AI image detector](#), and our experience is consistent with the design logic of Article 50(2) itself: the EU legislated for machine-readable marking at the point of generation precisely because post-hoc detection of synthetic media is not a reliable general solution. A UK framework leaning on detection rather than provenance would rely on the weaker of the two mechanisms.

Recommendations

15. **Legislate the date, not just the register.** Any UK marking, labelling or provenance obligation should be accompanied by a public, dated, machine-readable list of who is subject to it, with the publication date fixed in the instrument itself and far enough ahead of the duty for regulated firms to build against it.

16. **Define what public evidence looks like.** The obligation should state what a provider must make publicly available, at what URL pattern or through what interface, so that conformity is observable without a regulatory information request.

17. **Make the record permanent and versioned.** Provenance claims change over time. A register showing only the current state cannot answer the question that matters after an incident: what was published on a given date.

18. **Do not substitute detection for provenance.** Detection tools are useful for triage and should not carry evidential weight that the marking regime was designed to carry.

Availability of the underlying data

19. The monitor, its methodology and its boundary conditions are public and openly licensed at the address given at paragraph 6. Our related [open benchmark dataset](#) is archived with a persistent identifier at doi:10.5281/zenodo.21452970 under CC BY 4.0, and mirrored at Harvard Dataverse at doi:10.7910/DVN/YBXYGQ. We are happy to supply the underlying records to the Committee in any format that is useful, and to update the figures should the Committee wish to cite a later measurement date.

6 August 2026