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des communications électroniques,
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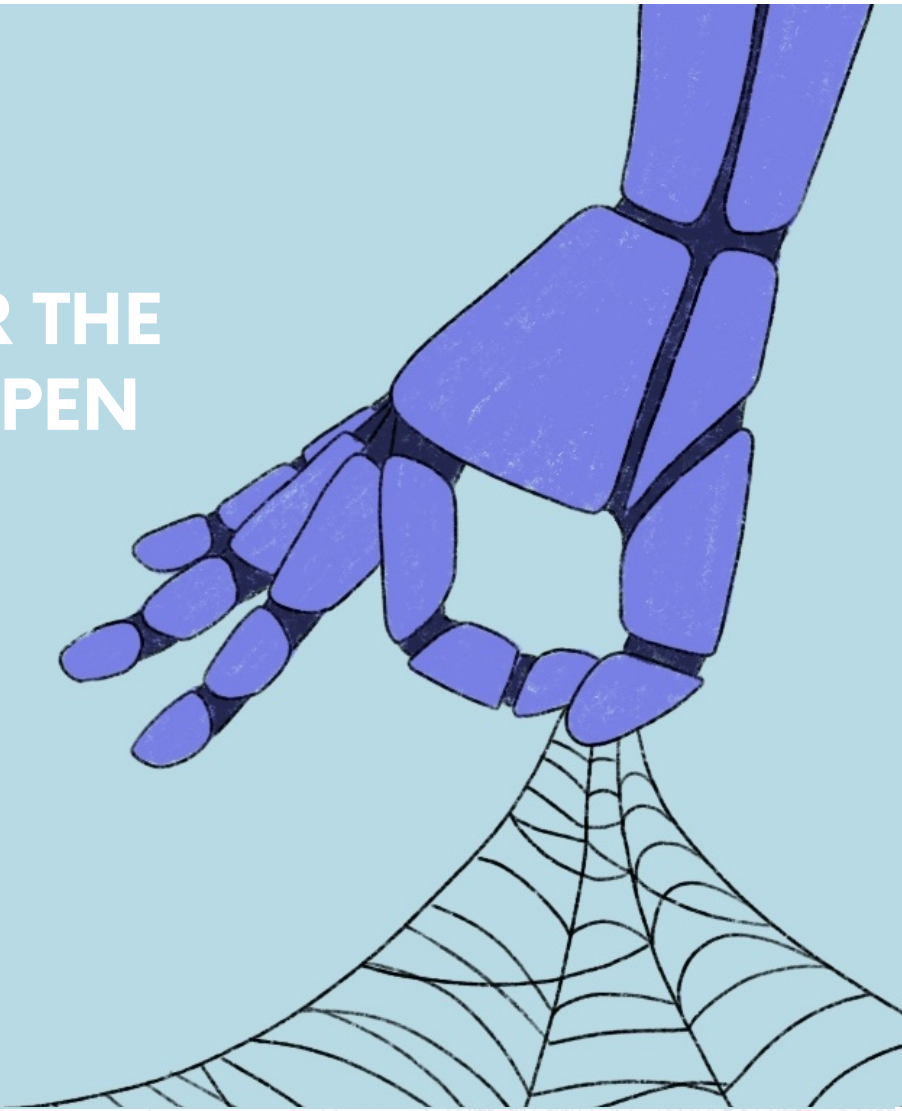
RÉPUBLIQUE FRANÇAISE

GENERATIVE AI: CHALLENGES FOR THE FUTURE OF THE OPEN INTERNET

The impact of generative AI services on freedom of choice, content diversity and innovation on the internet



Summary — January 2026

In collaboration with the Centre of Expertise for Digital Platform Regulation- PEReN

GOUVERNEMENT
Liberté
Égalité
Fraternité

ISSN n° 2258-3106

Summary

1. Generative AI services: new gateways to the internet

Generative AI services represent a major and promising innovation for our societies and economies. These tools notably enable both individuals and professionals to create content, access information and receive assistance in new ways.

Through its rapid spread into everyday digital uses and tools, generative AI is set to play a decisive role in how we access the diversity of internet content and services. This development is revolutionising the digital practices of users, who are no longer necessarily encouraged to navigate from link to link, but are led to focus their interactions on the interface of an AI agent, which selects, reformulates and structures information, accesses certain third-party services on their behalf and offers a single response in natural language, limiting users' direct access to the original sources and services. Generative AI services thus constitute a new gateway to the internet, similar to the services provided by internet service providers (ISPs) and major digital platforms such as search engines, social networks, browsers and e-commerce platforms.

The provision of generative AI services relies on the collection and processing of massive volumes of data for training purposes, which creates new relationships and challenges between stakeholders. Furthermore, due to the inherent limitations of learning techniques, the responses of generative AI may contain biases or errors.

As new gateways to the internet, generative AI services are likely to challenge some of the network's historical foundations, particularly the principle of the open internet. This principle stems from the original design of the internet as a decentralised "network of networks", based on open protocols, allowing the free exchange of information, knowledge and data without prior authorisation, and promoting innovation.

2. The open internet: a founding principle for innovation and online freedoms

The principle of an open internet has profoundly influenced the design of internet protocols and technical architectures. Within the European Union, the "Open Internet" Regulation[1] adopted in 2015 imposes net neutrality obligations on internet service providers, i.e. equal treatment of traffic, regardless of its destination, sender or content; and defines the principle of open internet as the right of end users to access and distribute the content, applications and services of their choice. It aims to prevent technical intermediaries from imposing discriminatory conditions on the circulation of internet content and services. The challenge is twofold: on the one hand, to promote innovation in digital markets and, on the other, to create a foundation for the exercise of fundamental freedoms on the internet, in particular freedom of expression, freedom of enterprise and freedom of information.

Since the first debates on net neutrality, the digital ecosystem has undergone profound changes. Beyond internet service providers, large digital platforms such as search engines, social networks, operating systems and app stores have become essential intermediaries for accessing online content and services. While ISPs were the physical gateways to the internet, these players have gradually taken on the role of software gateways, capable of structuring, filtering or restricting users' choices.

[1] Regulation (EU) 2015/2120 of the European Parliament and of the Council of 25 November 2015 laying down measures concerning open internet access.

In this context, it has become necessary to look beyond the neutrality of the infrastructure operated by ISPs in order to preserve the ambition of an open internet that guarantees users' freedom of choice and capacity for innovation. The European Union has provided initial responses to these challenges, notably through the Digital Markets Act, which aims to prevent practices that could restrict market contestability and users' effective freedom of choice.

3. The impact of generative AI on the open internet and the risks of concentration

Generative AI services are part of this evolving dynamic and are likely to extend, or even amplify, certain risks posed by large platforms. Their specific nature also raises new issues that require particular attention with regard to the openness of the internet.

Freedom to access the content and services of one's choice

Generative AI services are redefining how we access content and services. Users are shifting from exploring the web, navigating from link to link, to reading a summary produced by an AI system. They no longer directly browse the range of content and services available on the internet, but consult a summary built from sources selected by AI.

While the first generations of generative AI services were characterised by a lack of source display, significant progress has since been made since, with the deployment of mechanisms to explain the reasoning behind the responses and indicate some of the sources used. However, generative AI services generally present a limited number of sources per response, and their summarised response in natural language tends to discourage users from consulting the original sites and exploring the web. Furthermore, the criteria used by AI to select and prioritise sources remain largely opaque.

The recent development of so-called agentic AI, which allows AI services to interact with other digital applications and services, could lead internet users to delegate the choice of applications or services used to AI agents. The selection made could then be guided by the preferences or partnerships, particularly commercial ones, established by the AI service provider, to the detriment of free choice and open innovation on the internet.

Ability to innovate and share content and services of one's choice

Generative AI services are profoundly transforming the way content and services are shared and promoted for publishers, providers and internet users. They call into question the visibility of content on the internet and may lead to a decline in traffic to source sites. Furthermore, the relevant players concerned have limited leverage to influence how generative AI services index and highlight content. Search engine optimisation (SEO) practices, which are currently well established for search engines, must evolve towards new and still poorly documented practices aimed at optimising content visibility through generative AI tools. These changes raise major challenges in terms of discoverability, business models and the sustainability of traditional players in the creation and provision of online content and services.

Ultimately, this reduced discoverability, combined with competition from summarised content that is easy to produce in large quantities, could discourage the production of human-generated content, which is essential to the diversity of the digital ecosystem. However, the scenario of an artificial internet, characterised by predominantly summarised content, would not only undermine online diversity, but could also weaken the development of future generative AI services themselves, since real-world data is necessary for their training and the quality of their outputs.

Openness and contestability of digital markets

While business models are still being structured – which calls for careful analysis – there are risks of concentration at different stages of the value chain. These risks are exacerbated by the scale of investment required, privileged access to massive volumes of data, and the vertical integration and ecosystem strategies implemented by certain players. These conditions may lead to increased dependence by users, content and

service providers on a limited number of generative AI services, which are set to play a central role in accessing internet content and services. If such concentration dynamics were to be confirmed, the choices made by "dominant" generative AI service providers, particularly in terms of interface design, source selection and conditions of access to third-party services, would become all the more decisive for internet users' freedom of choice and the capacity for innovation on the internet.

4. Combining an open internet with the spread of generative AI

In light of this assessment, Arcep proposes six recommendations aimed at reconciling the development of generative AI services with the preservation of an open internet. The goal is to support the innovations enabled by generative AI while ensuring that internet users are able to freely exercise their choices regarding the content they view or share, the services they use and the innovations they develop. It is also a matter of preventing any form of unjustified market lock-in by intermediaries that have become indispensable.

> **Axis 1: Reaffirming the principles of the open internet in the age of generative AI**

The principle of an open internet in the age of rapid development and adoption of generative AI services must be reaffirmed in the context of digital and AI regulation, particularly at European level. The open internet must also be a focus of discussions and negotiations within multilateral forums on the development and governance of generative AI.

Furthermore, analysis of the effects of generative AI services on the openness of the internet must be continued: Arcep calls for further research on this topic.

> **Axis 2: Develop open protocols for interconnections between generative AI service providers and content and application providers**

The development of an open generative AI ecosystem depends in particular on the establishment of technical conditions and technological building blocks that enable players to interconnect effectively, in line with the technical history of the internet. The aim is to support the implementation and adoption of open and interoperable protocols that help ensure more fluid, transparent and balanced relationships between AI services and online content and service providers, including in support of contractual agreements where appropriate. Such protocols would benefit from being sufficiently granular to take into account the diversity of interactions – training, indexing, agentification – that are likely to be contractualised between generative AI service providers and content and application providers. The protocols could work to support the vertical interoperability of generative AI services, within a multi-stakeholder governance framework conducive to their adoption on an international scale.

> **Axis 3: Creating fair conditions for access, use and promotion of content and services by generative AI**

The development of an open and dynamic generative AI ecosystem requires striking a balance between, on the one hand, the fair valuation of content and services used by generative AI services and, on the other hand, the preservation of access conditions that are conducive to innovation and competition, particularly for emerging players. In this regard, access to protected content, particularly when used for training or generation purposes, must be subject to appropriate regulation. It would also be advisable to encourage the development of technical mechanisms that facilitate the processing of content, such as the initial experiments with microtransaction systems conducted by certain technical intermediaries, or the use of trusted third parties responsible for facilitating the management of rights and value flows.

With regard to the relationship between press publishers and generative AI services, which raises specific issues of pluralism, existing mechanisms for the distribution of political and general news publications by digital newsstands, which require the latter to comply with press publishers' requests under reasonable and non-discriminatory conditions, could inspire the implementation of mechanisms adapted to generative AI services.

Beyond protected data, the provision of shared resources, including data spaces that meet the needs of AI developers, should be encouraged.

> **Axis 4: Mobilising existing regulatory tools to ensure the openness of generative AI services**

The existing European regulatory framework, including the Digital Markets Act, the Digital Services Act and the Data Act, provides a set of tools that can help to protect the openness of generative AI services. These instruments are particularly relevant given that generative AI services are largely implemented by players already covered by these legal frameworks. They should be mobilised to address some of the identified issues and mitigate certain risks associated with AI services.

> **Axis 5: Supporting the development of more transparent and assessable generative AI services**

While significant progress has been made by industry players, findings highlight the persistence of challenges in terms of the reliability, transparency and traceability of generative AI services. These issues call for continued efforts, in particular by improving the monitoring of model performance and, where relevant, supporting the development of smaller, more frugal models that can be more easily assessed.

> **Axis 6: Empowering internet users to define and curb their use of generative AI**

The transformations driven by generative AI services underscore the importance of providing users with reliable and comparable information to support informed choices. Arcep encourages the availability of configuration options that maintain freedom of choice in terms of sources and services. More broadly, the Authority calls for continued efforts in AI training and literacy, as well as for the promotion of mechanisms that take users' interests into account in the development of generative AI services.