



Brussels, 23 November 2016

Mr Andrus Ansip
Vice-President of the European Commission

Mr Günther H. Oettinger
Commissioner for the Digital Economy & Society

European Commission
200, rue de la Loi
B – 1049 Brussels

Dear Vice-President Ansip,

Dear Commissioner Oettinger,

As the European Commission moves to finalise its review of the ePrivacy Directive, the undersigned European publishers, all members of IAB Europe or national IABs, and/or publisher associations EMMA, ENPA, EPC, and NME, would respectfully draw the Commission's attention to the critical role that revenue from interest-based advertising plays in the financing of online media, and the importance of any new ePrivacy rules not going beyond the already stringent and burdensome provisions of the recently-agreed General Data Protection Regulation (GDPR).

Without the option of interest-based advertising as a viable revenue stream, European media would be hard-pressed to manage the challenging transition to the online environment. This would have obvious negative implications for media plurality over the medium- to longer term, and ultimately for an informed citizenry and functioning democracies.

[European law must not dictate business models in the online environment](#)

The new ePrivacy instruments must not require the provision of a subscription-based “alternative” to advertising-supported content nor mandate that content be made available for free. Any future ePrivacy instrument must leave European publishers free to determine the optimal business model for their online content and services. This means that EU regulation should not prevent publishers from making access to their online content conditional on users accepting that their personal data will be lawfully processed to deliver

interest-based advertising in full compliance with the GDPR. In line with the principle of “Better Regulation” the Commission should leave room for and encourage effective sector-specific self- and co-regulatory initiatives such as [the European self-regulatory initiative on Online Behavioural Advertising \(OBA\)](#). Moreover, privacy and data protection laws should not be enlisted to achieve competition enforcement aims.

We look forward to hearing how the Commission intends to take account of this in its next steps on the ePrivacy review.

Yours sincerely,



KESKISUOMALAINEN OYJ **Herlev Bladet** **MEDIEGRUPPEN** Jyllands-Posten

JP/POLITIKENSHUS **Monitorul** **mtv** **NET INFO** **Nibe Avis**

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Individual signatories:

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National IABs:

IAB Austria, IAB Belgium, IAB Bulgaria, INAMA, SPIR, Danske Medier, IAB Finland, IAB France, BVDW, IAB Hellas, IAB Hungary, IAB Italia, IAB Ireland, IAB Nederland, INMA, IAB Polska, IAB Portugal, IAB Romania, IAB Serbia, IAB Slovakia, IAB Slovenija, IAB Spain, IAB Sweden, IAB Switzerland, IAB Turkey, IAB UK

European associations:

Interactive Advertising Bureau Europe (IAB Europe), European Magazine Media Association (EMMA), European Newspaper Publishers' Association (ENPA), European Publishers Council (EPC), News Media Europe (NME)

Copy to:

Mr Frans Timmermans, First Vice-President of the European Commission

Ms Věra Jourová, Commissioner for Justice, Consumers and Gender Equality

Mr Alexander Italianer, Secretary-General, European Commission

Mr Roberto Viola, Director General, DG Connect