

Brussels, 3 December 2018

**Subject: ePrivacy debate - TTE Council 4 December**

Dear TELE WP Attaché,

We the undersigned - EMMA, ENPA, EPC and NME - together representing a broad range of European news organisations in print, online, radio and TV, thank the Austrian Presidency for its role in steering a constructive debate on the technically complex and difficult ePrivacy proposal. Ahead of the TTE Council of 4 December, we would like to share our views.

As it stands, the proposal would have deep and unintended repercussions on legitimate European businesses, notably on the creative industries and the news sector. The proposal also raises further questions about how to meaningfully protect consumers online.

There are still strong concerns about overlaps with, and unnecessary replication of, the General Data Protection Regulation (GDPR). Member States should also have sufficient time to assess the impact that the entry into force of the GDPR - which only took place on 25 May - has had on the objectives that the ePrivacy proposal seeks to address.

We note that while progress has been made in the latest compromise text, for instance by rephrasing the right to make access to content conditional, further efforts are necessary to ensure that this right is enforceable. This would help preserve the integrity and quality of online journalistic content.

News organisations are also investing heavily in digital technologies, enabling their journalistic content to reach wider audiences. However, the transition of the industry towards a more digital and sustainable future is compromised by the sheer market power of certain online giants. We therefore firmly support the proposed deletion of browser settings, which would only serve the purpose of further concentrating the market.

For all the reasons above, we believe that further discussions are necessary in the framework of the TELE Working Party. This will give Member States more time to assess the proposal in light of the GDPR, which the ePrivacy proposal seeks to complement but not replace. Quality of the legislation should prevail over speed.

We thank you for your consideration.

Sincerely,

**Ilias Konteas**

*EMMA Executive Director*  
Ilias.Konteas@magazine  
media.eu

[www.magazinemedi.eu](http://www.magazinemedi.eu)

**Ilias Konteas**

*ENPA Executive Director*  
Ilias.Konteas@enpa.eu

[www.enpa.eu](http://www.enpa.eu)

**Angela Mills Wade**

*EPC Executive Director*  
Angela.MillsWade@epce  
urope.eu

[www.epceurope.eu](http://www.epceurope.eu)

**Wout van Wijk**

*NME Executive Director*  
wout.vanwijk@newsmed  
ia europe.eu

[www.newsmediaeurope.eu](http://www.newsmediaeurope.eu)

*EMMA, the European Magazine Media Association, is the unique and complete representation of Europe's magazine media, which is today enjoyed by millions of consumers on various platforms. EMMA represents 15,000 publishing houses, publishing 50,000 magazine titles across Europe in print and digital. See: [www.magazinemedi.eu/](http://www.magazinemedi.eu/)*

*ENPA, the European Newspaper Publishers' Association (ENPA) is the largest representative body of newspaper publishers across Europe. ENPA advocates for 16 national associations across 13 European countries, and is a principal interlocutor to the EU institutions and a key driver of media policy debates in the European Union. See: [www.enpa.eu/](http://www.enpa.eu/)*

*EPC, the European Publishers Council is a high level group of Chairmen and CEOs of leading European media corporations actively involved in multimedia markets spanning newspaper, magazine, book, journal, internet and online database publishers, and radio and TV broadcasting. See: <http://epceurope.eu/>*

*NME, News Media Europe (NME) represents the progressive news media industry in Europe - over 2200 European titles of newspapers, radio, TV and internet. NME is committed to maintaining and promoting the freedom of the press, to upholding and enhancing the freedom to publish, and to championing the newsbrands which are one of the most vital parts of Europe's creative industries. See: [www.newsmediaeurope.eu/](http://www.newsmediaeurope.eu/)*