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Press Release

EMMA and ENPA Affirm the Legitimacy and Importance of “Consent or Pay” Models for Press Publishers

The European press publishers’ associations EMMA and ENPA stand firmly by the legality and use of binary “Consent or Pay” models by press publishers as a legitimate way to monetise editorial content and ensure sustainable journalism. As the debate around these models continues across Europe, including in the context of court proceedings and national public consultations, EMMA and ENPA wish to underscore their key role in supporting a pluralistic, professional, and accessible media ecosystem.

“Consent or Pay” models allow readers to access editorial content either by paying a monetary fee or by consenting to the use of their data to receive targeted advertising. This approach promotes editorial independence, enables publishers to reach new readers that might turn into subscribers, and ensures that professional information remains widely accessible, including for those unable or unwilling to pay directly.

Any attempt to prohibit or restrict these models, such as the obligation to provide a “third alternative” without payments nor data processing, would not only contradict ECJ judgement C-252/21, but also have dire economic consequences for publications and readers alike. It would also go against the goals of promoting access to professional information and preventing so-called “news deserts”, that characterise democratic pluralistic societies and are increasingly important at a time of geopolitical tensions.

Ilias Konteas, EMMA – ENPA Executive Director, said: “Editorial content is costly to produce, and it is not sustainable for press publishers to offer it below market value. Press publications are businesses that need to monetise their content and services, therefore asking users to pay for what they consume, be it via a fee or consent, is a legitimate sale like those in the offline world.”

Andrea Riffeser Monti, FIEG President, said: “It is essential to maintain this model, supported by a favourable decision of the highest European Court and widely used by press publishers across the EU. A prohibition would not only have competition repercussions, creating inequalities to the detriment of Italian press publishers, but would harm society as a whole, as many Italian readers might be deprived of access to professional verified information.”

EMMA and ENPA encourage policymakers and Data Protection Authorities to recognise the value and lawfulness of binary “Consent or Pay” models, and to avoid actions that could jeopardise the economic foundation of independent journalism.

Read more on the EMMA – ENPA position on “Consent or Pay” and the Italian consultation in the enclosed technical document.