

The crucial role of independent audience measurement to achieve the objectives of European Media Freedom Act

An expert and independent opinion on
the implementation of the Audience
Measurement Provisions in EMFA

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Recital 69 of the European Media Freedom Act (EMFA) establishes a clear hierarchy in audience measurement approaches, recognizing the superiority of industry-agreed self-regulated models while pragmatically acknowledging that proprietary solutions will sometimes emerge. The recital states that “In principle, audience measurement should be carried out in accordance with widely accepted industry self-regulatory mechanisms.”.

This language from the European Commission reflects a deliberate policy choice favoring collaborative, industry-wide approaches over proprietary alternatives. The preference for joint industry bodies stems from recognition that self-regulated systems better serve the fundamental objective of creating a fair and equitable media market. By explicitly positioning self-regulation as the reference model, the Commission establishes a clear direction for market development while maintaining flexibility for diverse market conditions.

The Audience Measurement Coalition (AMC) strongly advocates for these principles of self-regulation precisely because they organize markets around fairness and equity. As measurement experts, we understand the multidimensional nature of creating truly fair and equitable measurement systems. These dimensions include methodological transparency, representative sampling, equitable stakeholder governance, continuous verification, and independent audit—principles that self-regulated systems are inherently designed to uphold.

This document represents the first step in articulating the essential components that should be included in future Codes of Conduct and Guidelines across European markets. By establishing these foundational principles derived from decades of collective expertise in audience measurement, we aim to provide a framework that supports consistent implementation while respecting local market conditions.

About the Audience Measurement Coalition

The Audience Measurement Coalition (AMC) is an association that serves as the voice of the independent audience measurement sector, which includes research suppliers and Joint Industry Committees (JICs) including AGF (Germany), ARMA (Romania), CIM (Belgium), CAEM (Portugal), Danske Medier Research (Denmark), Finnpanel (Finland), Mediapulse (Switzerland), Médiamétrie (France), MMS (Sweden), NMO (Netherlands), Norwegian MOC, TAM Ireland, WEMF (Switzerland), Comscore, GfK, Ipsos, Nielsen and Kantar. For decades the members of the AMC have served European markets to ensure that both traditional and digital publishers’ and broadcasters’ number of active users (audiences) are measured for decades the members of the AMC have served European markets to ensure that both traditional and digital publishers’ and broadcasters’ number of active users (audiences) are measured correctly. Audience measurement serves as the backbone of Europe’s media industry, providing invaluable insights into consumption patterns for media companies. Additionally, it supports public service media in fulfilling their mandates and assists advertisers and public authorities in making informed decisions.

For further information: <https://audiencemeasurementcoalition.eu/>

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- 4 The Critical Role of independent Audience Measurement in Media Ecosystems**
- 5 The Specific value of the Audience Measurement Coalition's expertise in the successful implementation of EMFA**
- 7 Concrete implementation of the basic Principles of Audience Measurement according to Industry standards**
- 15 The Seventh Principle of Verifiability: The Keystone of the Framework**
- 17 Adapting data protection framework on EU level to support the efficient implementation of EMFA**

The Critical Role of independent Audience Measurement in Media Ecosystems

Independent Audience measurement serves as a fundamental cornerstone of media ecosystems, a reality appropriately recognized by the European Media Freedom Act. These measurement systems fulfil several essential functions:

- Providing objective evaluation of the performance of individual media offerings, enabling content producers to understand audience preferences and refine their services
- Establishing the currency for advertising monetization, which remains the primary economic source for most media organizations
- Supporting media pluralism by enabling smaller independent outlets to demonstrate their audience value and compete for advertising revenue alongside larger entities
- Underpinning the economic sustainability that allows for continued investment in quality content and responsible information services, especially European ones
- Determining precise amounts for royalty payments, collective rights management and other payments for creators and rights-holders, which is essential to support local cultural productions and European work.
- Creating transparency in media consumption to inform strategic decisions across the ecosystem, from content investment to regulatory oversight which is crucial for public service media to verify audience diversity and demonstrate Charter compliance through independent measurement data.
- Serving public interest by informing governmental policies, e.g. on media concentration, advertising restrictions and election monitoring since EMFA correctly acknowledges, the integrity and fairness of these measurement systems directly impacts the health, diversity, and quality of Europe's media landscape.

The Specific value of the Audience Measurement Coalition’s expertise in the successful implementation of EMFA

The Audience Measurement Coalition’s perspective on the European Media Freedom Act represents a significant resource for EU policymakers due to its unique combination of structural neutrality and technical expertise that can inform effective implementation. More specifically, Recital 60 states that “media market players, in particular media service providers and advertisers, should be able to rely on objective and comparable audience data stemming from transparent, unbiased and verifiable audience measurement solutions. In principle, audience measurement should be carried out in accordance with widely accepted industry self-regulatory mechanisms.” Achieving this level of transparency on such a technical matter is undoubtedly challenging. AMC members, with their specialized expertise, are uniquely positioned to support and advance the ambitions outlined in the EU Regulation.

Inherent Structural Neutrality

The coalition’s composition ensures independence is built into its very foundation.

Formed primarily of Joint Industry Committees (JICs), Media Owner Committees (MOCs), and their contracted independent third-party measurement suppliers, neutrality is a core operational principle

- JICs are industry-wide bodies governed by representatives from all media stakeholders (broadcasters, publishers, advertisers, and agencies) who collectively fund and oversee measurement systems
- MOCs represent collective initiatives by media owners who join forces to establish independent measurement standards despite being competitors

These organizations operate under balanced governance structures where multiple stakeholders have a representation, preventing any single interest from dominating

- Their funding models are specifically designed to prevent financial leverage by any single market participant
- Third-party measurement providers working for these industry bodies are contractually obligated to maintain methodological neutrality
- Coalition members work across all media types—television, radio, print, digital, and cross-media measurement—giving them insight into the distinct technical and market challenges of each sector
- This cross-media expertise enables them to understand what constitutes fair and equitable treatment across different platforms with vastly different operational models, audience behaviors, and measurement challenges
- Their experience balancing the needs of traditional media and digital platforms provides valuable perspective on measurement principles that can work across diverse business models

Specialized Technical Expertise

Audience Measurement Coalition members possess detailed knowledge of measurement systems that extends beyond the theoretical level. As daily practitioners, they understand the intricate mechanics of audience measurement systems, including complex statistical methodologies and data processing algorithms

Their hands-on experience allows them to recognize ways measurement can be influenced

through seemingly neutral technical parameters like weighting factors, panel composition, or data normalization methods, as well as modern complexities such as:

- Data fusion techniques that combine datasets from different sources, where methodological choices directly impact measurement integrity
- Machine learning algorithms whose training data selection and weighting methods can introduce systematic bias despite mathematical objectivity
- Legal and technical data sharing protocols between media services, platforms and measurement bodies that significantly affect audience segment representation
- Probabilistic identity resolution methods whose underlying assumptions influence demographic accuracy and inclusivity
- Cloud-based data management systems where access controls and processing hierarchies shape measurement outcomes
- And numerous other technical elements requiring expert oversight and standardization.

Our members can offer perspective on implementation considerations that might benefit policymakers and academic experts.

Members' cross-market perspective and experience can help identify and explain how measurement standards interact with different media types and business models across the EU.

A Resource for Effective Policymaking

The Audience Measurement Coalition offers its knowledge as a resource for EU policymakers in the EMFA implementation process:

The coalition can provide access to technical insights that balance depth with accessibility, helping policymakers navigate relevant complexities without unnecessary detail. We can offer context on the nuanced world of audience measurement, where numbers that appear straightforward on the surface emerge from sophisticated multi-layered methodologies

This expertise can help clarify technical language and concepts, making complex measurement principles more accessible for policy development. While audience figures seem simple and objective, their creation can involve integration of traditional panels, passive measurement technologies, and big data sources—a complexity the coalition can help illuminate when relevant to regulatory considerations.

The coalition stands ready to translate technical aspects into policy-relevant context when invited, supporting regulators' ability to craft guidelines based on thorough understanding of measurement dynamics.

The Audience Measurement Coalition offers its knowledge and experience as a resource, recognizing that policymakers will engage with many stakeholders in developing balanced, effective implementation of EMFA's objectives for fairness and pluralism across European media markets.

Concrete implementation of the basic Principles of Audience Measurement according to Industry standards

The European Media Freedom Act's Article 24 represents a significant legislative milestone, establishing crucial principles for audience measurement governance. While these foundations are commendable, they remain insufficient without comprehensive implementation through detailed guidelines and codes of conduct (Article 24.3). These supplementary frameworks are essential companions to Article 24, providing the necessary technical precision and operational definitions that transform abstract and generic principles into effective regulatory practice. Without advancing to this next level of concrete specification through stakeholder-developed codes, the EMFA's effectiveness in protecting measurement neutrality will be severely compromised, potentially necessitating additional regulatory interventions to fulfil the EU's initial ambition of ensuring truly independent, representative and transparent audience measurement systems across the Union.

It is imperative that all principles enshrined in Article 24.1 of EMFA apply with identical rigor, intensity, and burden of verification to every audience measurement system—regardless of whether they originate from industry self-regulation or proprietary methodologies. Such comprehensive accountability must be made mandatory whenever measurement results are publicly disseminated or serve as the foundation for advertising transactions. This uniform application of standards represents a fundamental safeguard for market integrity and media transparency across the digital ecosystem. It should not be seen by any stakeholder as an option, rather it is now a clear legal obligation under EMFA.

AMC members champion the comprehensive adoption of self-regulated audience measurement frameworks, which have demonstrably excelled in implementing the foundational principles articulated in Article 24 of EMFA. We advocate that all market participants should integrate into independent, industry-consensus audience measurement systems, thereby embracing collectively established standards that ensure methodological integrity and market fairness. Industry codes of conduct, supplemented by Commission guidelines, can further refine EMFA obligations, guiding stakeholders toward transparent governance structures and methodological frameworks that serve the entire ecosystem. We urge the European Board of Media Services to maintain vigilant oversight regarding potential market distortions that could be created by opaque proprietary measurement initiatives that may either fail to adhere to these essential principles or might implement them superficially. Such continuing regulatory attention remains critical to preserving measurement integrity across the European media landscape and could serve as the substantive foundation for constructive dialogue on the future evolution and enhancement of EMFA applications as media technologies and consumption patterns continue to transform.

This contribution presents the collective perspective of AMC members—drawing on their extensive diversity and established legitimacy—regarding both the interpretation of these principles and the specific conditions and criteria necessary for their successful implementation.

Transparency as a Foundational Principle in Audience Measurement

Transparency serves as the foundation for establishing credibility and fostering trust among diverse stakeholders. All market participants and oversight bodies should have access to sufficiently comprehensive and intelligible information about audience measurement systems. This information must be presented in a manner that enables stakeholders to make informed assessments regarding whether the measurement methodologies effectively adhere to the remaining principles outlined in the regulation. The level of disclosure should facilitate meaningful evaluation without requiring specialized technical expertise, while still providing sufficient depth for those who seek more detailed understanding.

In Article 24, transparency occupies the primary position among the key principles that audience measurement systems must uphold. This section explores how meaningful transparency can be

achieved despite intellectual property considerations and commercial interests that may occasionally stand in tension with comprehensive public disclosure of methodological details and proprietary know-how.

A critical connection exists between transparency and audit mechanisms. Qualified auditors, operating under appropriate confidentiality agreements, can thoroughly examine proprietary methodologies without compromising their owners' competitive advantages. These auditors can then provide reasonable assurance to the public that the methodologies align with other required principles. For a detailed examination of auditor qualifications and selection criteria, please refer to our subsequent discussion on audit governance frameworks.

Essential Conditions for Transparency in Audience Measurement Systems

To satisfy the transparency principle, audience measurement systems must be designed, implemented, and maintained under the following essential conditions:

- **Comprehensive documentation:** All methodological aspects must be fully documented and made accessible to end-users and auditors as applicable. Complete documentation of input data specifications, downstream data processing methodology, and rules applied to produce audience estimates is critical.
- **Technical detail sufficiency:** Sufficient technical details must be provided to allow users to evaluate the validity of findings.
- **Methodological clarity:** This includes clarity on methods used for calculation, statistical limitations of the measurement system, and the distinction between measured and any inferred data.
- **Clear delineation of interpretation:** Audience measurement entities have a duty to ensure that findings and interpretations are clearly flagged as such and supported by data. Conclusions should be reported with a clear distinction between findings, interpretations, and recommendations.
- **Industry standardization:** Audience measurement entities shall take as a foundation all standardized industry best practices and disclose details such as sample size, metrics definitions, measurement methods, period, and error margins. These disclosures enable stakeholders to evaluate data reliability and ensure consistency across different media channels.
- **Verification through audits:** Audits serve as a check against potential conflicts of interest and ensure compliance with ethical and industry standards. Clients and users of the research data have a right to request audits to verify data quality, methodology, and governance processes.
- **Balance of proprietary information and disclosure:** While certain proprietary details may be protected, core methodological information should be publicly available to remove any reasonable doubt about the data processing and to ensure confidence in the eventual interpretation of the outputs. Auditors should be granted confidential access to proprietary information with appropriate security protocols and confidentiality agreements.
- **Responsibility for accurate representation:** Audience measurement entities must not associate themselves with potentially misleading conclusions. They are responsible for ensuring findings are not misrepresented when published. Additionally, both measurement entities and clients should collaborate to ensure that published results accurately reflect the data.

Effective transparency in audience measurement requires striking a delicate balance between comprehensive disclosure and legitimate protection of intellectual property. When properly implemented through the conditions outlined above, transparency fosters an ecosystem where stakeholders can trust measurement data while measurement providers maintain their innovative edge. The complementary relationship between transparency and independent audit mechanisms creates a framework that upholds the integrity of audience measurement data—a critical resource for the functioning of media markets. By embracing these transparency standards, the industry can ensure that audience measurement systems serve their essential function while maintaining the confidence of all parties in an increasingly complex media landscape.

Impartiality: The Foundation of Trustworthy Audience Measurement

Impartiality ensures that methodologies, data collection, and processing remain neutral and unbiased. While transparency serves as a prerequisite by allowing stakeholders to access information necessary to evaluate potential bias, it alone is insufficient. The design and implementation of measurement methods play a crucial role in establishing true impartiality.

Technical expertise should be leveraged to create genuinely neutral systems rather than to enable potential hidden bias behind what could be intentionally complex processes. When methodological sophistication serves clarity and fairness rather than a risk of manufactured concealment, stakeholders can place justified confidence in the measurement results across all market participants.

Methodologies must not favor or disadvantage specific users or groups. Audience measurement systems should be designed to address the general needs of all end users, rather than advancing the interests of a selected group of participants at the expense of others.

This principle of balance ideally manifests through methodologies established via consensus or by a very large majority of end-users, developed within qualified and competent working groups such as Technical Committees, where both buy and sell sides maintain equal representation. This collaborative approach safeguards against any single party unduly influencing the study design to secure competitive advantages. To ensure that these processes are completely implemented neutrally, they are delegated to an independent third party which cannot be suspected of serving any special interests.

However, in cases of proprietary audience measurement as defined by the EMFA the processes of impartiality cannot duly take place as the result of an organized and collaborative consensus, as described above. As a last resort, to ensure a minimum transparency and rigor, truly independent audits can serve as a minimum requirement. These audits serve as essential checks against potential bias when collaborative design processes are not feasible, ensuring that methodological impartiality remains protected regardless of the development approach employed. It should however be noted that auditing, although a crucial part of audience measurement processes, cannot replace the verification in real time that is ensured by independent structures. Auditing is punctual and usually happens yearly. If biases and errors continually compromised the audience measurement, the damages towards clients, competitors and the decision-making of public authorities will already have occurred.

Rigorous reviews and testing of methodologies to eliminate bias risks is important. All competitors must be treated equally in the processing and final reported data, ensuring no player benefits from favourable treatment. Any decision or system enabling omissions in reporting should be explicitly outlined, allowing end-users to understand any potential biases. This transparency enables market participants and users of data to fairly assess and address any exclusions should they occur. Bias prevention when recruiting panelists or selecting census data for audience measurement analysis must mitigate against favouring certain types of consumers over others. Neutrality assessments, as part of an audit scope, ensure that the research process remains free from external influence. Clear procedures for addressing doubts about data accuracy and methodology is important. If concerns arise, they should be discussed within the management team, including expert groups such as a Technical Committee, as both are responsible for responding to inquiries.

In cases where errors are identified in published data, corrections must be issued along with methodological notes explaining the origin and impact of the issue. This ensures transparency and maintains confidence in the credibility of the research process. The following principles address key aspects of impartiality, though they are indicative and represent only a portion of the comprehensive requirements for truly unbiased measurement:

- **Methodological Integrity:** conduct rigorous reviews and test methodologies to systematically identify and eliminate potential sources of bias. Implement balanced sample designs and data collection procedures that neither favor nor disadvantage any consumer segment or media type

- **Equal Treatment of Market Participants:** process and report data for all market participants using identical methodological frameworks, ensuring no competitor receives preferential treatment. Document any systematic limitations or exclusions transparently, enabling users to fully understand potential impacts on reported results. Maintain consistent measurement standards across all measured entities regardless of their market position or commercial relationships
- **Transparent Error Management:** establish clear, documented procedures for addressing questions about data accuracy or methodological concerns. Route inquiries through appropriate governance structures including management teams and technical committees. Issue prompt corrections for identified errors in published data, accompanied by explanatory notes detailing the origin, scope, and impact of the issue
- **Governance Safeguards:** structure decision-making bodies to include balanced representation from both buy and sell sides of the media market. Implement formal mechanisms to prevent any single stakeholder from exerting undue influence on measurement design or execution. Document and disclose all material relationships between measurement providers and measured entities to identify potential conflicts of interest

When audience measurement systems embody these principles, they foster a level playing field that benefits all market participants. Impartial measurement enables fair competition based on actual performance rather than methodological advantages, provides advertisers with reliable data for investment decisions, and ultimately supports a healthier media ecosystem that better serves audiences. By adhering to these principles, AMC members fulfill their essential role as neutral arbiters of media performance, enabling the market to function efficiently while maintaining the trust of all stakeholders. As media consumption patterns continue to evolve, maintaining this commitment to impartiality will only grow in importance for the sustainability and credibility of the audience measurement industry. Given that all audience measurement systems are required to follow the principle of impartiality, Proprietary Audience Measurement Systems are required under EMFA to maintain similar standards. Operators of Proprietary Audience Measurement Systems must therefore institute equivalent sufficient governance and risk management internally within their organization to ensure an equivalences of accountability, assurance and legal compliance.

Comparability: The Purpose of Effective Audience Measurement

Comparability ensures that data can be fairly assessed across different media, time periods, and methodologies. While transparency and impartiality provide essential foundations, comparability represents the fundamental purpose of audience measurement systems. It enables stakeholders to evaluate performance across different media channels, platforms, and content types using consistent and equivalent metrics.

The reality of cross-media measurement is inherently complex. As consumers increasingly access similar content across diverse platforms—from traditional television to connected TVs, smartphones, and computers—the need for comparable measurement has become critical. Yet each medium presents unique technological challenges and measurement opportunities.

These technological differences should not serve as justifications for incomparable measurement approaches. Technical complexities may become convenient shields behind which measurement disparities that favor certain stakeholders could hide. The varying technological environments across media platforms demand thoughtful adaptation of measurement methodologies, but these adaptations must preserve fundamental comparability rather than undermine it. The expertise of Audience Measurement Coalition members can provide invaluable guidance in navigating these challenges. Through collaborative assessment of methodological options and rigorous evaluation of potential biases, these industry bodies can develop measurement frameworks that transcend technological differences while maintaining the core principle of fair comparison. Their role and history in establishing consensus-based approaches ensures that comparability serves the interests of the entire ecosystem rather than advantaging specific parties.

Comparability stems from a combination of various factors such as:

- **Consistent Data Sources and Clear Attribution:** meaningful comparisons require data derived from unified methodologies and consistent sources. Mixing figures from different studies with varying collection approaches risks creating false equivalencies and misleading conclusions. Joint industry data should serve as the primary basis for media comparisons, representing a neutral and collectively accepted standard. Publication guidelines must mandate comprehensive source references—including study provider, measurement period, metric definitions, and statistical confidence indicators. This standardized reporting framework prevents selective data use and ensures that comparisons occur on a level playing field, allowing market participants to accurately assess relative performance without methodological distortions.
- **Temporal Consistency Balanced with Evolution:** effective measurement systems must maintain comparability across time periods while appropriately reflecting genuine changes in media consumption patterns. When consumption dynamics shift significantly, Technical Committees should evaluate whether methodological adjustments are warranted. Any modifications to measurement approaches must be carefully managed with clear notifications and, where feasible, bridge studies to maintain continuity with historical data. As media convergence accelerates, the development of comparable indices across digital and traditional channels becomes increasingly vital. When direct equivalence cannot be achieved, measurement systems should present parallel data sets with explicit methodology references rather than forcing invalid direct comparisons.
- **People-Centric Metrics and Standardized Units:** audience measurement should fundamentally center on human exposure rather than technical delivery metrics. Core indicators must reflect actual audience engagement through reach, frequency, and duration measurements, moving beyond simple counting of impressions served or content distributed. Comparable data requires sufficient granularity to enable meaningful segmentation without sacrificing statistical reliability. When alignment between different data sets becomes necessary, any scaling adjustments must be transparently documented. Industry measurement standards should apply consistently across platforms, with any deviations clearly justified and labeled to prevent misrepresentation and enable informed interpretation by all stakeholders.
- **Transparent Alignment with Recognized Standards:** the diversity of measurement standards across European markets creates inherent challenges for comparability. Measurement providers must explicitly identify which standards they apply, whether from national Joint Industry Committees, international bodies like IAB or IFABC, or reference frameworks like the MRC. When metrics differ from established market conventions, they should receive distinct designations to prevent misleading comparisons. In emerging measurement areas lacking established standards, source methodologies require clear identification. Proprietary methodologies must be explicitly labeled as such, distinguishing them from industry-standard measures and allowing users to appropriately contextualize the resulting data when making cross-media or cross-market comparisons.

Comparability transforms measurement data from isolated metrics into actionable intelligence, allowing stakeholders to make informed decisions across the media ecosystem. As media consumption increasingly spans multiple platforms and devices, the ability to make valid comparisons has never been more essential. True comparability demands exacting methodological discipline—encompassing consistent data sources, standardized metrics, meticulous adaptation management, longitudinal stability, and transparent adherence to industry standards. When these principles are applied, measurement systems can successfully navigate the technological complexities of today's media landscape without sacrificing fundamental comparability.

Self-regulation plays a critical role by establishing consensus frameworks that ensure comparability serves all market participants equitably. The collaborative approach helps prevent technological differences from becoming excuses for biased measurement, maintaining the integrity of cross-media comparisons despite diverse technological environments.

Proportionality: make audience measurement an asset not a burden

Across EU media markets, diversity in service types and organizational scales is not merely common but essential for a healthy media ecosystem. For audience measurement to truly serve its purpose of fostering pluralism, it must function as an accessible business asset for all market participants, not just those with substantial resources.

Proportionality in audience measurement recognizes that a one-size-fits-all approach may create systemic disadvantages for smaller and niche media outlets. When measurement systems impose uniform technical requirements, participation costs, or methodological complexities regardless of media size, they effectively exclude vital voices from the data ecosystem that drives advertising investment and public recognition.

Self-regulatory frameworks must therefore establish graduated approaches that scale requirements according to organizational capacity while maintaining data integrity.

This principle should be observed and applied when interpreting and applying the principle of inclusiveness in the sense that a measurement service should not be required to perform certain tasks that are useful only to players who have certain special characteristics and who do not, for various reasons, invest the necessary funds to obtain audience data, these special tasks being financed by the rest of the users of the same measurement system.

This might include:

Tiered Requirements Based on Scale: self-regulatory bodies can establish graduated standards that scale compliance requirements according to a provider's market footprint, resources, and potential impact. Smaller measurement providers might face simplified reporting requirements, while dominant players with greater market influence would adhere to more comprehensive standards.

Industry-Developed Technical Standards: when practitioners collaboratively develop technical requirements, they can ensure standards remain rigorous enough to maintain measurement integrity while avoiding unnecessarily burdensome specifications. This approach leverages collective expertise to establish proportionate methodological guidelines that protect market fairness without stifling innovation.

Flexible Implementation Timelines: self-regulatory frameworks can incorporate phased implementation schedules that give smaller organizations additional time to achieve compliance with new standards. This approach maintains high ultimate standards while recognizing the resource realities of different market participants.

Risk-Based Audit Procedures: oversight mechanisms can employ risk-based approaches that focus scrutiny where it matters most—on high-impact measurement systems, methodological areas with greater potential for bias, or contexts where significant financial decisions depend on the data. This targeted approach maintains systems integrity while directing compliance resources efficiently.

Collaborative Compliance Support: Industry bodies can provide shared resources, best practice guides, and implementation assistance that reduce compliance burdens, particularly for smaller organizations. This collaborative approach maintains high standards while distributing practical implementation knowledge across the ecosystem.

Tiered Participation Fee Structures: Self-regulatory bodies can (and do) implement graduated fee schedules that align financial obligations with an organization's size, market position, and financial capacity. This ensures small-to-medium measurement providers can participate in governance without prohibitive costs, while larger entities with substantial market influence contribute proportionally more to system maintenance. Such equitable funding models preserve inclusive representation while acknowledging significantly different resource realities across the measurement ecosystem. However, it's important to recognize that:

- legitimate business advantages may arise from additional investment. When a media service chooses to invest beyond standard requirements to achieve higher quality or precision in audience measurement, it's reasonable that they derive specific business benefits from this

investment—provided these enhancements operate within the self-regulated framework and don't undermine the baseline fairness of the system. This balanced approach acknowledges market dynamics while maintaining the integrity of the measurement ecosystem.

- A delicate equilibrium must be preserved when measurement services undertake methodologically complex tasks benefiting specialized audience segments or niche media channels, as these specialized applications often generate disproportionate costs borne predominantly by mainstream users. This creates an unsustainable cross-subsidization where those deriving greatest benefit contribute minimally to the system's financial sustainability. Similarly, careful calibration is required between regulatory compliance obligations—whether imposed nationally or at EU level—and each market's economic capacity to support such public service functions. This concern is particularly acute in jurisdictions where regulatory bodies mandate extensive data collection while simultaneously being statutorily entitled to access measurement data without financial contribution. Such asymmetric arrangements potentially undermine the economic foundations of robust measurement systems, necessitating pragmatic approaches that balance methodological comprehensiveness with commercial viability.

By incorporating these strategies, self-regulatory measurement programs can effectively balance the need for robust standards with proportionate implementation requirements—protecting the integrity of audience measurement while recognizing the diverse capabilities and resources within the measurement ecosystem.

Inclusiveness and Non-discrimination: every media and every audience target count

Non-discrimination and **Inclusiveness** requires that audience measurement methodologies and systems treat all media services reasonably equally, regardless of their size or market position, business model (commercial, public service, community), technological platform or distribution method, content orientation or editorial stance (as long as legal), target audience demographics or communities.

This last point is particularly important. Media services should not face systematic disadvantages simply because they serve audience segments that are voluntarily excluded from measurement programs. Media targeting specific linguistic, cultural, age, geographic, or socioeconomic groups deserve equitable measurement capabilities, ensuring their actual audience value can be properly included.

While it may be practically impossible to represent every niche audience segment with statistical precision in a single measurement program, statistical neutrality remains a fundamental principle. Random sampling methods should maintain proportional representation of all population segments, reflecting their real-world distribution. This statistical neutrality helps ensure there is no intentional discrimination against particular audience segments and provides a baseline fairness in measurement across different target audiences.

It's important to acknowledge that GDPR and other privacy regulations may restrict the direct inclusion or identification of certain specific audience targets, particularly when they involve special categories of personal data. These legitimate privacy protections can create practical challenges for audience measurement programs seeking to represent all audience segments. Nevertheless, measurement systems should strive to develop GDPR-compliant methodologies that maintain representative balance while respecting personal data protection requirements.

Any measurement system that effectively excludes specific demographic segments—such as linguistic communities, socioeconomic groups, or regional populations—must explicitly acknowledge these limitations through comprehensive declarations in methodology documentation. Furthermore, all published results and reports derived from such data must prominently disclose these omissions, ensuring that users clearly understand the boundaries of representativeness and can make appropriate interpretations accordingly.

Self-regulatory frameworks must continuously strive toward these objectives while acknowledging practical constraints. This requires a pragmatic approach that balances aspirational goals with realistic implementation. Resources—financial, technical, and methodological—must be allocated fairly to achieve meaningful inclusivity without imposing disproportionate burdens on any market participant. The principle that «every media count» must guide both the ambition and the practical execution of audience measurement systems, ensuring that idealism and pragmatism work in tandem to create genuinely inclusive measurement frameworks. The principle and standards described above for inclusiveness and non-discrimination must, under EMFA, apply equally to Proprietary Audience Measurement Systems. Operators of Proprietary Audience Measurement Systems must therefore institute equivalent sufficiency within its own methodology and reporting disclosures to ensure that in cases where, for example, specific communities or audience segments are excluded from its audience measurement calculations and subsequent reporting that end users understand any such omissions.

The Seventh Principle of Verifiability: The Keystone of the Framework

By distinguishing the seventh principle, Verifiability, from the others, we emphasize that audit serves as the central gear in the complex mechanism of audience measurement integrity. Without this crucial component functioning properly, the entire system risks misalignment and failure. Verification and audit processes are widely implemented, in varying forms, across self-regulated audience measurement programs. EMFA Article 24(2) now establishes a crucial equalizing obligation that «Providers of proprietary audience measurement systems shall ensure that the methodology used by their audience measurement systems and the way in which it is applied is independently audited once a year.»

For this provision to achieve its intended purpose, proprietary measurement providers must adhere to rigorous audit standards that effectively safeguard against methodological bias and ensure audience data neutrality in European markets. Simply conducting superficial or checkbox-style annual audits without substantial depth or independence would undermine the regulatory intent of Article 24(2). The specification of these high standards represents one of the most consequential discussions the EBMS will undertake.

While a one-size-fits-all approach would be inappropriate given the diversity of European media markets, AMC firmly believes that robust, transparent verification processes are non-negotiable elements of compliant proprietary audience measurement systems. AMC is prepared to actively assist EBMS in defining appropriate audit standards across different market contexts, drawing on our members' extensive experience with verification methodologies.

To establish minimum requirements that fulfill EMFA's intent, it is important to address the key aspects of audience measurement verification

Independent Expert Verification

While self-regulatory bodies like JICs and MOCs develop methodologies through collaborative industry processes, audience measurement involves complex statistical considerations that benefit from specialized independent scrutiny. Independent audits provide crucial secondary verification that examines methodological choices through both a scientific and operational performance lens. Such audits are separated from commercial considerations that can be reviewed based on the audit findings.

These independent evaluations confirm the validity of methodologies through assessment from specialists without personal market interests, examining technical complexities that industry discussions might overlook.

Intellectual Property Protection with Transparency

The protection of intellectual property shall not be opposed to comprehensive audit access. While we strongly support IP rights as catalysts for measurement innovation, these protections should never create methodological blind spots that undermine market confidence in measurement integrity.

Independent auditors serve as crucial intermediaries in this ecosystem, examining proprietary methodologies under strict confidentiality agreements. This privileged access enables verification that IP-protected elements don't introduce bias while preserving the commercial confidentiality essential for continued innovation. Such structured oversight balances legitimate commercial interests with the transparency necessary for stakeholder trust, ensuring measurement systems maintain their methodological credibility without compromising competitive advantages or innovation incentives.

Third-Party Data Validation

Modern measurement ecosystems increasingly integrate first and third-party data across diverse digital environments, necessitating rigorous validation protocols to preserve measurement credibi-

lity. Comprehensive audits must verify that all integrated data sources meet stringent quality standards—examining completeness, representativeness, processing methodologies, and potential bias vectors. This scrutiny becomes particularly critical for proprietary measurement systems built upon first-party data that are controlled by the same entities providing measurement service. Such inherent conflicts of interest demand heightened verification standards to ensure methodological neutrality and prevent competitive distortion.

Given the complexity of multiple objectives, implementing effective oversight requires nuanced consideration of audit structure, scope, and authority. The EBMS must develop a proportional framework that acknowledges market diversity—smaller markets require streamlined approaches while complex measurement systems warrant more frequent, modular, component-specific evaluations.

Critical distinction must be maintained between end-to-end methodological audits and adjacent verification mechanisms such as accreditation of measurement technology, validation of specific research methods, or compliance with agreed audience measurement standards, which may balance commercial interests with scientific integrity. In this complex landscape, AMC stands ready to provide expert guidance and clarity. A carefully calibrated, tiered oversight framework accommodates diverse market conditions while ensuring all measurement systems undergo appropriate scrutiny—preventing both regulatory overreach in smaller markets and superficial verification in larger ones. This balanced approach establishes clear technical boundaries between comprehensive scientific validation and performative compliance exercises, preserving measurement credibility without stifling innovation.

Finally, EBMS must establish clear guidelines regarding auditor independence, carefully examining their stakeholder relationships—both European and international—and evaluating their demonstrated commitment to neutrality that serves the broader European media ecosystem's health. Essential considerations include auditors' governance structures, funding models, potential conflicts of interest, and historical performance in maintaining methodological integrity under commercial pressure. AMC stands prepared to serve as a strategic partner in this evaluation, providing comprehensive market intelligence on available oversight mechanisms, their structural limitations, and proven effectiveness in maintaining measurement integrity across diverse market contexts.

Adapting data protection framework on EU level to support the efficient implementation of EMFA

AMC draws the regulator's attention to the broader regulatory ecosystem that significantly influences EMFA's effective implementation. Various intersecting legal frameworks—including data privacy regulations—create a complex regulatory matrix that directly impacts audience measurement capabilities. As a matter of priority, Audience Measurement needs a proper privacy and data protection framework on EU level.

Contemporary Audience measurement inevitably includes end-user data collection and data transfers between first parties and audience measurement independent third parties. The verification process by JICs, MOCs and their research supplier partners is the remaining bastion that allows market players and governments to gain transparency over a digital sphere that risks becoming increasingly opaque. Independent audience measurement, however, is at risk of being curtailed by conflicting or maladjusted interpretations of EU data protection and privacy laws.

The fragmentation of the implementation of the ePrivacy Directive and GDPR means that the conditions under which to access data for audience measurement will differ depending on geographical location. The persisting legal limbo is fueling a multi-tiered and unequal audience measurement ecosystem across Europe and between countries whose media markets are supposed to be part of one single market. These inconsistencies directly contradict the principles listed in the European Media Freedom Act requiring audience measurement to follow the principles of transparency, impartiality, inclusiveness, proportionality, non-discrimination, comparability and verifiability.

This could be remediated temporarily by an EU-wide GDPR guideline provided by the EDPB with the support of the European Commission, the Media Board (EBMS) and Member States, that would acknowledge explicitly that audience measurement is a legitimate purpose under 6.1 f) of the GDPR and compatible with article 5.3 of Directive 2002/58/EC. It is, however, the opinion of the AMC that ultimately for greater legal certainty, EU law should acknowledge that audience measurement is carried out in the public interest as set out in 6.1 (e) of the GDPR. The recognition of a public interest task under GDPR requires an explicit mention in a law to be recognized in EU legislation.

