

OPEN LETTER FROM RADIO BROADCASTERS ON THE REGULATION OF USER INTERFACES UNDER THE EUROPEAN MEDIA FREEDOM ACT

4th December 2023

EU lawmakers can play a significant role in boosting media pluralism and democracy in Europe by safeguarding the findability and discoverability of licensed radio stations. Decisive action from EU lawmakers regarding the European Media Freedom Act (EMFA) is now urgently required. Without this, the long term viability of radio is at risk.

As a collective of business leaders from some of Europe's most-loved commercial radio broadcasters and audio streaming players, reaching well over 200 million weekly listeners across the European Union, we are very concerned about the future of radio as a medium, a trusted, reliable, editorially independent and culturally enriching companion, a social compass in a digital era plagued by disinformation and other forms of online harms. By adhering to high ethical and professional standards, the hundreds of journalists we employ play a key role in combatting fake news, misinformation and disinformation across Europe.

The radio industry is alive to the opportunities that disruptive innovation can bring. As consumers grow accustomed to new ways of listening, we see the opportunity for a new wave of digital innovation, benefitting listeners, radio broadcasters and advertisers alike, bringing higher levels of consumer choice and empowerment, new routes to market and a more pluralistic audio landscape, including through the provision of trusted news bulletins to millions of EU citizens.

At the same time, radio's growing reliance on "user interfaces" (including connected car infotainment systems), has enormous potential to be a significant threat if one of the fastest growing routes to market for radio is effectively owned and controlled by a handful of third parties with significant market power and influence who are able to act as 'intermediaries' and custodians of valuable audience data. Without fair access to such data, radio broadcasters' ability to develop competing products and generate new revenue streams is stymied.




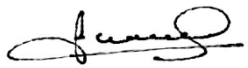



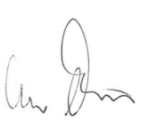




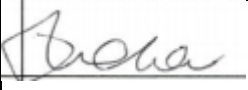

The stakes are high. For radio businesses to remain viable in this new environment, their output needs to be available on all platforms and findable by listeners.






Thus far, the representations we have made to the European Parliament and Council on this matter have been drowned out by discussions on some of the more contentious aspects of the EMFA proposal, but with urgent and decisive action EU lawmakers still have an opportunity to support the essential contribution radio makes to media pluralism and democracy. This can most effectively be achieved by regulating the findability and discoverability of licensed radio stations under article 19 of the EMFA.

In the absence of clear and robust rules, providers of user interfaces may interfere with the free flow of information by engaging in practices that control, restrict or obstruct the ability of audiences to find media content. For example, providers of user interfaces may treat their own content services preferentially (or the content services of partners that pay for preferential treatment). This may occur with or without the knowledge of those audiences. All of this puts the viability of radio and, in turn,

the free formation of opinion that is underpinned by (inter alia) editorially independent radio stations, at risk, endangering our democracies.

As we approach the end of the trilogue negotiations, we hope that EU lawmakers will take heed of our urgent call to secure media plurality in the audio sector over the long term, so that the EMFA doesn't turn out to be an empty promise!

	Stephan Möller, President	Association of European Radios (AER)	
	Christoph Falke, Managing Director	Axel Springer Audio	
	Vivian Mohr, President	Bauer Media Audio	
	Dirk Lodewyckx, Director General TV, Streaming & Radio	DPG Media	
	Angela Mills Wade, Executive Director	European Publishers' Council (EPC)	
	Christopher Franzen, CEO	Frank Otto Medien & Nordwest Medien Gruppe	
	Mario Frühauf, CEO	Kronehit Radio	
	Gert Ysebaert, CEO	Mediahuis	
	Paolo Salvaderi, Amministratore Delegato	Radio Mediaset	
	Maryam Salehi, Deputy Director General	NRJ	
	Ignacio Soto, Managing Director	Prisa	
	Yann Legarson, CEO	Radioplayer	

	Rainer Poelmann, CEO	Regiocast	
	Nina Gerhardt, CEO	RTL Radio	
	Paul Romer, Managing Director Radio & Television	Talpa Network	