

Introduction – the Data Asymmetry

DPCMO is aware of the strong contributions submitted to this Call for Evidence by News Media Europe, EMMA/ENPA and IFRRO. This response therefore focuses specifically on data: the resource that increasingly determines whether Europe's press publishers and wider creative sectors can compete, innovate, and sustain direct relationships with their own audiences in an AI-driven digital economy.

Europe's cultural and creative sectors are both producers of content and producers of data that increasingly underpin AI systems and businesses competing in a global digital market. Yet a small number of global technology companies control disproportionate amounts of behavioural data, digital infrastructure, advertising markets, and the gateways through which audiences discover content. This creates a fundamental data asymmetry that any AI Strategy for the CCS must confront directly.

Media consumption has moved decisively online and across an expanding range of devices, a shift that is most pronounced among younger audiences, and one unfolding against a media and technology market that is becoming ever more international in scope.

Data as a Competitive Resource

Press publishers need access to data to compete. First-party audience data enables publishers to understand their readers, improve products, develop subscriptions, personalise services, innovate, and maintain direct relationships with audiences. Yet the largest platforms may hold more information about a publisher's own audience than the publisher itself. They can observe search behaviour, engagement, interests, and interactions across services, and use this information to improve personalisation and monetisation at a scale and speed no individual publisher can replicate.

The result is a reinforcing cycle: content leads to engagement, engagement generates data, data enables personalisation, personalisation drives advertising and AI development, and the resulting market power attracts still more users and data. This asymmetry is not merely a privacy or data-protection concern; it is a structural competition problem, and the AI Strategy should address it as such. Personalisation built on privately held, non-shared data pools gives platforms a degree of convenience and immediacy that no single publisher can match acting alone, routing attention, and the commercial value that follows it, through the platform's interface rather than the publisher's own.

Discoverability as a Gatekeeping Function

Search engines, social platforms, recommendation systems, and AI interfaces determine which journalism and cultural content audiences' encounter. The largest platforms can therefore act simultaneously as distributors, data collectors, advertising intermediaries, audience-measurement providers, and gatekeepers. These same platforms also capture most of the digital advertising revenue generated in connection with the content they distribute, leaving publishers increasingly reliant on reader subscriptions and direct-payment models to remain viable, and correspondingly more exposed to how discoverable their content and subscription offer remain.

AI intensifies this dependency. When AI systems increasingly answer questions directly rather than referring users to original sources, publishers lose traffic, subscriptions, advertising opportunities, and direct audience relationships, even where their journalism is essential to the AI system's output. The EU should therefore treat discoverability, attribution, and access to audience data as core elements of a competitive and sustainable European media ecosystem.

New Regulation Must Not Create Barriers to First-Party Data

The Commission should ensure that the Digital Omnibus and other EU data initiatives do not unintentionally weaken European publishers' ability to collect and use their own first-party data. European publishers compete globally with technology companies that hold enormous volumes of data. Regulation must protect privacy and fundamental rights without creating unnecessary technical, legal, or compliance barriers that

make it harder for publishers to understand their own audiences, develop direct relationships, personalise services, or build AI capabilities requested by users/citizens.

EU should distinguish clearly between intrusive or unjustified exploitation of personal data, on the one hand, and publishers' legitimate ability to collect, analyse, and use lawfully obtained first-party data generated through their own services and relationships with users, on the other. The objective should be to avoid a situation in which European regulation inadvertently restricts European publishers' access to their own data while dominant global platforms retain substantially greater data advantages.

AI Must Not Create a New Form of Value Extraction

The EU should ensure that the emerging AI economy does not create a new extractive model in which European creators and publishers supply valuable content and data while AI platforms capture most of the downstream economic value. The objective should instead be a virtuous cycle: European creative production leads to fair data and licensing conditions, which enables European AI innovation and competitiveness, which sustains creative businesses, which in turn supports the continued production of high-quality, diverse European content for informed and engaged citizens and a strong democracy.

Key Recommendations

The European Commission should:

- Recognise data access as a competitiveness issue for Europe's cultural and creative sectors
- Address excessive concentration of behavioural and audience data among dominant digital platforms
- Promote data reciprocity, including meaningful access for publishers and creative organisations to relevant aggregated, anonymised and non-personal data concerning the performance and discoverability of their content
- Protect publishers' first-party data capabilities and ensure that the Digital Omnibus and other data initiatives do not create unnecessary barriers to lawful collection and use of publishers' own audience data enabling publishers to better understand and respond to users' needs, preferences and requests
- Protect discoverability and attribution of original European journalism and creative content in search, recommendation, and AI-generated answers
- Ensure meaningful transparency, workable licensing for the use of European creative content in AI development, and effective enforcement
- Support European sectoral data infrastructure and AI tools, enabling SMEs and independent publishers to benefit from AI without becoming entirely dependent on global technology gatekeepers
- Make media pluralism, cultural and linguistic diversity, and fair competition explicit objectives of AI policy, alongside innovation and productivity

Final Remarks

An AI Strategy for the Cultural and Creative Sectors will be effective if it addresses the underlying data asymmetry between a small number of global platforms and the press publishers and creative businesses whose content sustains much of the digital media ecosystem. We hope that fair data access, discoverability, and safeguards against new forms of AI-driven value extraction will be at the core of the forthcoming Strategy.

DPCMO notes that these concerns are not abstract. DPCMO has filed complaints against Meta and TikTok for failing to share relevant data as required under the DMA, has brought legal action against OpenAI and LinkedIn, and works with the Danish Language-Model Consortium to support the development of European large language models.