Companion Document

GUIDANCE ON FAIR COMPENSATION FOR NEWS

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GLOSSARY AND ABBREVIATIONS

TERM	**DEFINITION**
AI	Artificial Intelligence
Compensation and remuneration mechanisms	For the purposes of this Guidance, compensation and remuneration mechanisms should be understood to include a wide range of possible approaches to ensure a fair value exchange between digital platforms, AI actors and the media, including licensing, competition, regulatory interventions, fiscal interventions.
Competition law	A legal framework designed to promote and maintain fair market competition. Known as antitrust law in some jurisdictions.
Copyright	A form of intellectual property law that grants creators exclusive rights to control how their work is used, reproduced, and shared.
Digital levies	Any fiscal measures or charges enforced to ensure that digital companies contribute fairly to public finances
Digital platforms	When defining the digital platforms that should be in the scope of statutory regulation, the regulatory authorities should identify those platforms that have relevant presence, size, and market share in a specific jurisdiction. This includes search engines, and news aggregation platforms, social media and other intermediaries.
AI Actors	AI actors are those who play an active role in the AI system lifecycle, including organizations and individuals that develop, deploy, or operate AI. This includes generative AI developers and providers.
DPCMO	Danish Press Publications' CMO
EU	European Union
IFPIM	International Fund for Public Interest Media
IPDC	International Programme for the Development of Communication
MDPMI	South Africa's Media and Digital Platforms Market Inquiry
Media	For the purposes of this Guidance, 'medianew' refers to organizations and individuals producing and disseminating original news journalistic content across a variety of formats and media, and a range of organisational models including outlets, agencies, associations, collectives, and independent producers.
Journalism	The activity of gathering, assessing, creating, and presenting news and information to the public.
OECD	Organisation for Economic Co-operation and Development
SDG	Sustainable Development Goals
SPUR Coalition	Standards for Publisher Usage Rights
Statutory bargaining frameworks	A legal framework established to govern negotiations between digital platforms and news media actors regarding compensation, content use, or related rights and obligations.

The 2023 Guidelines	The UNESCO Guidelines for the Governance of Digital Platforms
UNESCO	United Nations Educational, Scientific and Cultural Organisation
WIPO	World Intellectual Property Organisation

A. INTRODUCTION AND OBJECTIVES

Background

1. At a time when societies increasingly depend on reliable information to navigate democratic, technological, environmental, and geopolitical challenges, the financial conditions necessary to sustain public-interest journalism are weakening across many regions, the economic foundations that have historically sustained independent news media are under acute structural pressure. In many jurisdictions, advertising revenue that once supported the production of journalism has migrated to digital platforms, local and community news organisations have contracted or closed, and the financial conditions necessary to support investigative, public-interest, and pluralistic journalism have weakened significantly. This disruption has also affected another essential pillar of the news media ecosystem: news agencies, whose subscription-based business model has been profoundly destabilised by the platform economy and by the widespread availability of photo, video, and digital technologies. The evidence from multiple regions and contexts suggests that these trends reflect not a temporary or cyclical disruption but a fundamental and ongoing change in the structure of the information economy.

2. These challenges are, in significant part, a consequence of profound changes in how digital environments distribute attention, advertising revenue, and access to audiences. A small number of large, multinational digital platforms and AI actors now occupy a central intermediary role between media and the public, shaping content discovery, influencing the conditions through which journalism reaches audiences, and mediating access to digital advertising markets in ways that have materially altered the economic conditions in which journalism operates. In many contexts, this has led to a growing imbalance between those who produce original news content and those who derive economic value from its distribution, aggregation, or reuse. These changes have significant consequences for the sustainability, independence, and diversity of news media worldwide.

3. More recently, the rapid development and deployment of generative artificial intelligence (GenAI) systems have introduced new dimensions to these challenges. AI systems are trained on, among others, journalistic content available online, which materially contributes to their accuracy and reliability.[1] AI systems also increasingly synthesise, retrieve, and present information, including journalistic content, in ways that further alter the dynamics of content discovery and the economic relationships between media and the platforms through which audiences access information. Emerging evidence illustrates that of these dynamics are significant, with AI systems reproducing journalistic content at large scale, while rarely providing clear attribution.[2] These developments add urgency to the need for principled and forward-looking governance frameworks.

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[1] Kelvin Chan, 'French publishers and authors sue Meta over copyright works used in AI training,' Associated Press (2025) (accessible here).

[2] See for example Centre for Media, Technology and Democracy, 'AI News Audit,' (2026). (Accessible here).

4. The sustainability of journalism is a matter of fundamental importance to the exercise of human rights. The right to freedom of expression and access to information, affirmed in Article 19 of the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights, depends in practice on the existence of independent, diverse, and adequately resourced news media. A media ecosystem that cannot sustain itself cannot fulfil the public-interest functions upon which the effective exercise of those rights depends. This connection has been consistently affirmed in UNESCO's normative frameworks, including the 2021 Windhoek+30 Declaration, which recognises information as a public good and identifies media viability as one of its essential conditions. It is further reinforced by the 2005 UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions, which recognises the sovereign right of states to adopt policies and measures supporting cultural goods and services, including those of the media, in recognition of their dual cultural and economic value.

5. UNESCO affirms that the integrity of the information ecosystem is directly linked to the capacity of the public to participate in civic space. Such an approach to information integrity is also echoed in the Pact for the Future[3]. Without sustainable access to diverse, reliable, and independent information, public debate is weakened, and freedom of expression is effectively constrained. Enabling such an environment therefore requires both protective legal and policy frameworks and active contributions from actors with significant economic and technological power to support the sustainability of journalism.

6. It is in this context that UNESCO presents this Guidance, which is grounded in its broader mandate to strengthen international cooperation in the fields of education, science, culture, and information. This gives UNESCO a direct and long-standing interest in the conditions that enable journalism to operate freely and sustainably.

7. The Guidance aims to advance the implementation of the UNESCO Guidelines for the Governance of Digital Platforms, published in 2023 ("the 2023 Guidelines").[4] The 2023 Guidelines affirm that *media outlets, fact-checking organisations, and the professionals within them are essential stakeholders* in the digital information ecosystem and call for media actors to be actively involved in regulatory processes. Moreover, the 2023 Guidelines state that governance systems must *promote dialogue with media and support investment in independent news media*. This includes making relevant data available and supporting actions that bolster media viability, diversity, and plurality.

8. This Guidance on Fair Compensation for news is further informed by UNESCO's companion guidance on generative AI and on human rights impact assessments, which highlight the risks posed by evolving digital services and AI systems to media plurality, content diversity,

[3] **See** United Nations, *Pact for the Future*, adopted 2024, pp. 44–45, available at: https://www.un.org/sites/un2.un.org/files/sotf-pact_for_the_future_adopted.pdf.
[4] UNESCO, 'Guidelines for the Governance of Digital Platforms,' (2023). (Accessible here).

and the effective exercise of freedom of expression.[5] It also builds on a growing set of normative developments in this space, such as the 2023 'Big Tech and Journalism: Principles for Fair Compensation', endorsed by over a hundred global stakeholders in media, academia, and civil society.[6]

9. This Guidance seeks to reinforce UNESCO's efforts to address the media viability challenges facing independent media, including the collaborative efforts led by the Organisation's International Programme for the Development of Communication (IPDC) and partners within the framework of the Media Viability Manifesto initiative. Launched in January 2025, the Manifesto proposes a sector-wide theory of change and pathway for more coordinated efforts to support sustainable journalism. By articulating shared objectives and areas for collaboration among donors, media development organisations, and policymakers, the initiative has contributed to strengthening collective responses to the growing sustainability challenges facing the media sector.[7]

10. The challenges described in this Guidance are not new to UNESCO, but their form and urgency have evolved with the rapid development of digital platforms and AI systems, requiring updated and dedicated normative attention. The policy landscape is diverse and evolving, reflecting different legal traditions, market conditions, and institutional capacities across jurisdictions. The Guidance does not seek to prescribe a single model or make a finding on the approaches of individual actors. Its purpose is to articulate the principles, design considerations, and governance frameworks that should inform evidence-based responses across different contexts, while presenting the range of mechanisms that Member States and other stakeholders may consider.

11. The international dimension of these challenges is significant. Digital platforms and AI actors, central to this discussion, operate globally, and their scale means that the policy choices of individual states interact in complex ways with broader international dynamics. Internationally agreed principles, grounded in human rights norms, can provide Member States, particularly those with limited regulatory capacity or constrained policy space, with a common reference point and a basis for coordinated action.

12. Consistent with UNESCO's multistakeholder approach, this Guidance has been informed by consultations with a broad range of stakeholders, including governments, regulatory and competition authorities, media, civil society, and academia across multiple regions, and draws on findings from national and regional regulatory inquiries, legislative processes, academic research, and civil society monitoring across multiple jurisdictions. It proceeds from the recognition that all relevant actors have roles and responsibilities in supporting

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[5] UNESCO, 'The Guidelines for the Governance of Digital Platforms and Generative Artificial Intelligence: Companion document,' (2025). (Accessible here); and UNESCO, 'Protecting critical voices: Guidance for human rights impact assessment on digital platforms,' (2025). (Accessible here).

[6] Gordon Institute of Business Science (GIBS), *'Big Tech and Journalism: Principles for Fair Compensation,'* 2023. (Accessible here.)

[7] See also International Labour Organization (ILO), *Survey on Decent Wages for Journalists*, launched with the support of the ILO, available at: https://www.ilo.org/resource/news/ilo-supports-launch-survey-decent-wages-journalists.

outcomes that are fair, transparent, and sustainable, and that durable solutions require engagement across all these constituencies.

Objectives

13. This Guidance aims to safeguard freedom of expression, strengthen media sustainability, and support the future of in the context of digital platforms and AI actors' governance by:

13.1. Articulating the normative foundations, grounded in UNESCO's human rights-based framework and the principles of the 2023 Guidelines, which should inform approaches to compensation and remuneration for journalism and news in digital environments.[8]

13.2. Providing a structured and evidence-based overview of governance mechanisms and policy approaches to ensuring fair exchange of value for journalism that have been developed or are under active consideration across diverse jurisdictions, including their design features and key implementation considerations.

13.3. Identifying the roles and responsibilities of the principal stakeholders, including states, digital platforms and AI actors, multi-lateral organisations, and civil society and academic actors in securing fair, transparent, and sustainable outcomes for journalism in the digital age.

13.4. Contributing to international dialogue and coordination on the principles and frameworks that should govern approaches to compensation and remuneration mechanisms for journalistic content, advancing the commitments to access to information and inclusive digital governance reflected in the 2030 Agenda for Sustainable Development, the Pact of the Future, and the Global Digital Compact.

B. MODELS AND APPROACHES

14. Efforts to address the imbalances between digital platforms and AI actors and media have accelerated significantly since the early 2020s, amid growing concern about the sustainability of journalism and news media in platform-driven information ecosystems.[9] Across jurisdictions, these efforts have taken the form of regulatory and legal measures, alongside a broader range of mechanisms that recognise and, in some cases, redistribute the value generated by journalistic content, directly or indirectly. These include statutory

[8] For the purposes of this Guidance, compensation mechanisms should be understood to include a wide range of possible approaches to ensure a fair value exchange, including through licensing, competition, regulatory interventions, fiscal interventions, or other regulatory approaches.

[9] The crisis facing journalism was sharply intensified during the Covid-19 pandemic, which simultaneously increased demand for trusted information while accelerating the collapse of traditional revenue streams. As the United Nations (UN) warned at the time, the economic shock to media systems risked triggering a broader collapse in the information ecosystem, with the UN Secretary-General cautioning that the pandemic had unleashed a "new extinction event" for parts of the media sector (see United Nations, 'COVID-19 could trigger "media extinction event" in developing countries,' (2021). (Accessible here).

bargaining frameworks, competition law enforcement, intellectual property and copyright mechanisms, public and platform-financed journalism funds, digital levies, and a growing body of litigation, particularly in relation to the use of journalistic content by AI systems.

15. While these interventions differ in form, they reflect a shared effort to rebalance bargaining power and secure more sustainable funding flows for journalism.

16. This section sets out prominent models and policy approaches that Member States may consider in developing, implementing, or enabling fair compensation and remuneration mechanisms. The options described reflect approaches currently in use, piloted, or under active policy consideration across diverse legal and market contexts. The purpose of this section is to assess how different mechanisms tend to function in practice, identify their principal design features, and highlight key considerations for adaptation.

17. The options presented are not mutually exclusive and, in practice, fair outcomes are more realisable when multiple mechanisms are combined to respond to local contexts, existing legal frameworks, market structures, and institutional capacities. Fair compensation and remuneration could move beyond single mechanism approaches and consider an integrated, multi-layered model that combines market shaping tools to address structural bargaining imbalances; rights-based mechanisms to anchor compensation and remuneration in enforceable legal entitlements; distribution and visibility safeguards to prevent retaliation or exclusion from digital platforms and AI Actors; and public interest funding mechanisms to sustain media plurality, particularly for smaller and independent media. Crucially, these elements must be underpinned by robust transparency obligations, ensuring access to data on content use, traffic, revenue, and AI-related value extraction, and strong accountability frameworks, including independent oversight, auditability, and effective access to remedy.

Mapping fair compensation models

Legislative mechanisms

18. Legislative approaches to enable a fair value exchange for news media typically seek to correct structural bargaining power imbalances between media and dominant platforms or intermediaries through statutory intervention. Rather than setting prices or defining the value of the media content in question directly, these mechanisms reshape negotiating conditions in ways intended to enable more equitable outcomes.

19. A prominent example is Australia's News Media and Digital Platforms Mandatory Bargaining Code, enacted in 2021.[10] The Code enables eligible news businesses to bargain individually or collectively with designated digital platforms and establishes final offer arbitration as a backstop where negotiations fail. Importantly, the Code does not prescribe payment formulas. It alters the negotiating environment by increasing the cost of non-agreement for platforms.[11] Although no platforms have been formally designated, the

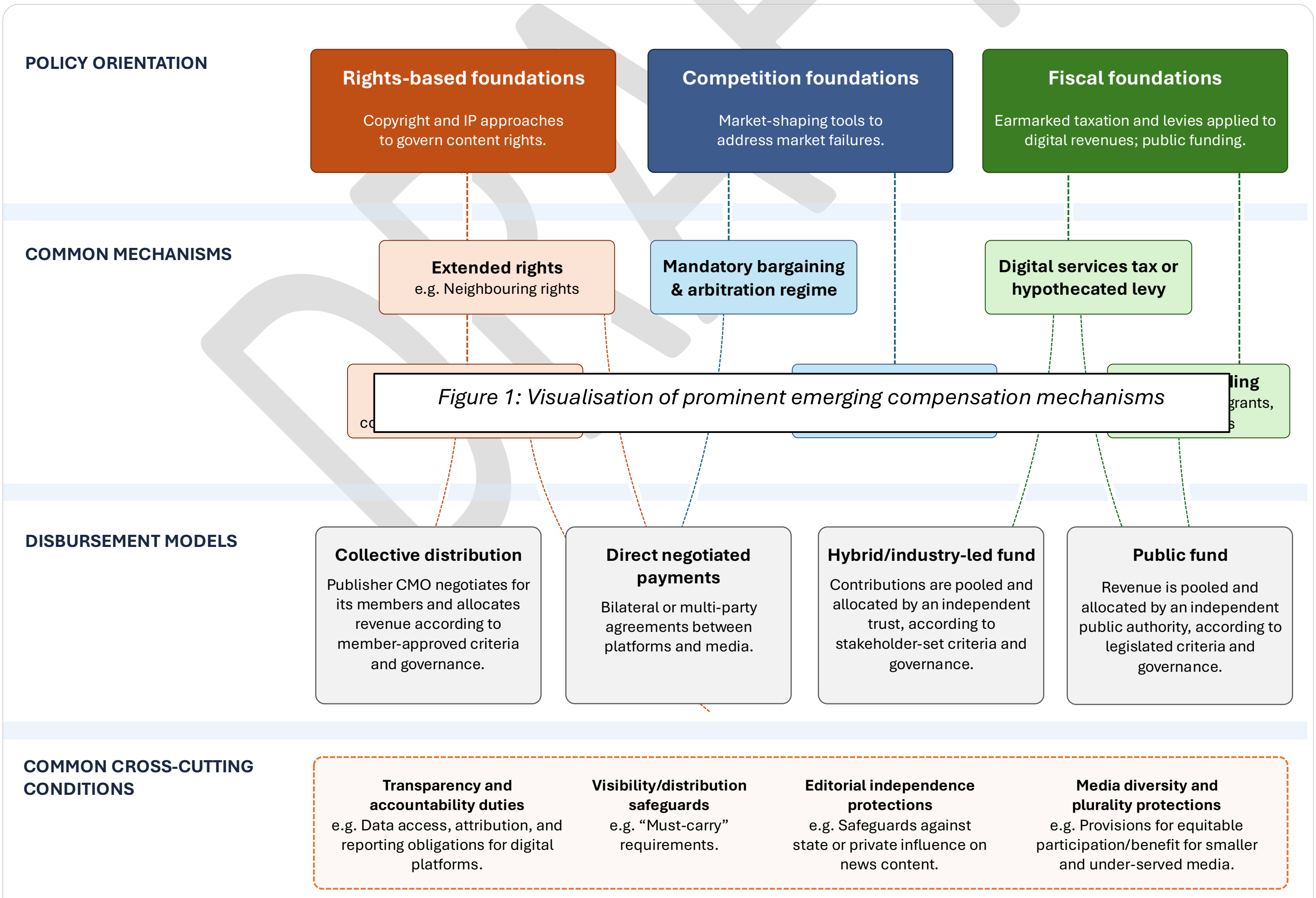

Figure 1: Visualisation of prominent emerging compensation mechanisms

[10] Department of the Treasury, 'Treasury Laws Amendment (News Media and Digital Platforms Mandatory Bargaining Code) Act 2021' (2021). (Accessible here).
[11] Australian Competition & Consumer Commission, 'News media bargaining code'. (Accessible here).

existence of the Code prompted Google and Meta to enter into private commercial agreements with a wide range of Australian media. According to reports, the Code led to more than 30 commercial agreements being concluded, with public estimates suggesting total payments in the range of A$200–250 million annually.[12] Subsequent analysis indicates that while the Code corrected certain bargaining dynamics, benefits accrued unevenly, with larger media capturing a disproportionate share in the absence of specific collective or equity-oriented safeguards.[13]

20. The Australian government is currently developing the News Bargaining Incentive as a successor mechanism to the 2021 Code, reiterating its policy position that journalism should be treated as a public good and that sustainability challenges are structural rather than cyclical.[14] This new policy process has emphasised the limitations of the original framework, particularly following Meta's withdrawal from news deals, and proposes a shift toward ensuring continued financial contributions from large platforms through incentive-based or fiscal mechanisms.[15]

21. Canada's Online News Act adopts a similar bargaining logic, but with a more explicit regulatory role.[16] The Act requires large digital news intermediaries to negotiate what it terms "fair" compensation agreements with eligible news businesses, under regulatory oversight by the Canadian Radio-television and Telecommunications Commission (CRTC).[17] The framework includes protections against undue preference and retaliation, and allows platforms to be exempted from arbitration where they can demonstrate that concluded agreements collectively contribute to the sustainability and diversity of the Canadian news ecosystem.[18] Under the Act, the CRTC approved an exemption agreement for Google, which provides approximately C$100 million annually to support Canadian news organisations.[19] However, in response to the passing of the Act, in 2023 Meta stopped publishing and hosting Canadian news on its platforms (Facebook and Instagram) rather than pay licensing fees. This highlights the need for distribution and visibility safeguards to be embedded within such mechanisms in order to prevent retaliation or exclusion from

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[12] Australian Government Treasury, 'News Bargaining Incentive – Consultation Paper,' (2025). (Accessible here). At the time of writing, A$200-250 million equates to approximately $144-180 million.
[13] Bossio and Barnet, 'The News Media Bargaining Code: Impacts on Australian Journalism One Year On' (2023) *Policy Internet*. (Accessible here); Australian Government, The Treasury, 'News Media and Digital Platforms Mandatory Bargaining Code: The Code's First Year of Operation' (2022). (Accessible here).
[14] Australian Government Treasury, 'News Bargaining Incentive: Fact Sheet' (2025). (Accessible here).
[15] Australian Government Treasury, 'News Bargaining Incentive: Consultation Paper' (2025). (Accessible here).
[16] Government of Canada, 'The Online News Act'. (Accessible here).
[17] Government of Canada, 'Online News Act Application and Exemption Regulations: SOR/2023-276' (2023). (Accessible here).
[18] Id.
[19] Canadian Radio-television and Telecommunications Commission, 'Online News Decision CRTC 2024-262: Exemption Order from the Online News Act granted to Google.' (2024). (Accessible here). At the time of writing, C$100 million is approximately $73.3 million.

digital platforms ana AI actors. Early in 2026, it was reported that the Canadian government was in discussions with Meta to restore Canadian news links on its platforms.[20]

22. In the Canadian model, compensation is administered by an independent body, a feature that has been associated with more balanced outcomes for smaller media.

23. There is ongoing discussion regarding the operation of existing bargaining codes and their outcomes for different categories of media, including smaller, local, and non-commercial outlets. Questions have been raised about the transparency of valuation methods used to determine payment levels, as well as the extent to which smaller media are able to access compensation through these mechanisms. These issues have been noted in assessments of how bargaining codes function in practice. In addition, recent analysis indicates that the mechanisms established do not explicitly address the role of AI systems in the extraction, processing, and reuse of journalistic content, suggesting an emerging area for further regulatory consideration.

24. Further, the ongoing refusal from platforms and AI Actors to recognise the economic relationship between the value of media content and the financial contributions made under the above bargaining code agreements, paired with a lack of transparency on how values are calculated, has resulted in platforms casting such contributions as charitable rather than as fair compensation for content. This consequently weakens the legal rationale of these frameworks and normalises discretionary, opaque contributions instead of enforceable obligations. This undermines accountability mechanisms, entrenches power imbalances, and reduces the predictability and sustainability that fair compensation mechanisms are intended to secure.

25. Indonesia's Presidential Regulation No. 32 of 2024 establishes obligations for digital platforms to support quality journalism and to set up structured cooperation with news media organisations. The Regulation does not specify clear sanctions for non-compliance.[21]

Competition law tools

26. In addition to sector-specific bargaining laws, competition law tools can function as indirect but powerful compensation mechanisms by addressing practices that undermine fair value exchange. In the European Union, enforcement under Article 102 of the Treaty on the Functioning of the European Union and the obligations imposed by the Digital Markets Act seek to prevent self-preferencing, discriminatory access, and unfair trading conditions imposed by gatekeeper platforms.[22] While these instruments do not mandate payments

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[20] Woolf, 'Ottawa in talks with Meta about restoring news to Facebook'. *The Globe and Mail* (2024). (Accessible here).

[21] Government of Indonesia, 'Presidential Regulation No. 32 of 2024 on the Responsibilities of Digital Platform Companies to Support Quality Journalism,' (2024). (Accessible here).

[22] European Union, 'Treaty on the Functioning of the European Union' at article 102. (Accessible here); European Commission, 'The Digital Markets Act'. (Accessible here).

for news content, they can materially improve the media's negotiating position and prevent value extraction through non-price mechanisms.

27. Comparative experience from the audiovisual sector demonstrates that the structural challenges confronting journalism are not without precedent. Over several decades, the EU has treated audiovisual content as warranting specific public policy protection, combining regulatory obligations on distributors with sustained public support under the principle that cultural production cannot be governed by ordinary market logic alone. Through instruments such as the Audiovisual Media Services Directive and the MEDIA strand of the Creative Europe programme,[23] this framework has progressively adapted from cinema and broadcast television to on demand streaming services. This illustrates the feasibility of multi-instrument, future adaptative policy frameworks that support independent content industries under conditions of platform dominance.

28. South Africa's Media and Digital Platforms Market Inquiry (MDPMI) illustrates a distinct and particularly relevant Global South application of competition tools.[24] Conducted under the Competition Act 89 of 1998, the Inquiry examined systemic features of digital markets, including search, advertising technology, social media distribution, and AI-mediated access to news, that undermine the sustainability of South African media. Rather than focusing narrowly on content payments, the MDPMI assessed value extraction, audience substitution, algorithmic bias, market concentration, and the effects of AI-generated summaries on referral traffic. The Inquiry resulted in a set of binding structural and behavioural remedies, including enforceable funding and support commitments and forward-looking obligations relating to AI.[25] This approach demonstrates how competition frameworks can be used proactively to attempt to restore fair market conditions and enable compensation outcomes without relying solely on copyright or bargaining codes. The South African approach is also notable for linking financial and regulatory remedies to accountability frameworks within the media sector, including eligibility criteria tied to recognised self-regulatory bodies.

29. Some jurisdictions have additionally explored must-carry or platform visibility obligations as complementary responses to the power of dominant platforms over news distribution. Such approaches, which in many instances have been adapted from broadcast regulation, seek to ensure that public interest content remains accessible and is not unilaterally excluded or deprioritised by digital platforms and AI actors.[26] While these approaches do not constitute compensation in themselves, they may play a supporting role by safeguarding distribution and preventing platform exit or retaliation in the context of compensation frameworks. Adaptation of must-carry type provisions to digital platforms

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[23] European Commission, 'Creative Europe MEDIA strand' (2026). (Accessible here); European Commission, 'Audiovisual Media Services Directive' (2026). (Accessible here).

[24] Competition Commission of South Africa, 'Media and Digital Platforms Market Inquiry'. (Accessible here).

[25] Competition Commission of South Africa, 'Media and Digital Platforms Market Inquiry (MDPMI): Final Report' (2025). (Accessible here).

[26] Radsch and Schiffrin, 'Exploring Must-Carry For News in the Platform Economy'. Research paper for the OSCE Media & Big Tech Initiative (2025). (Accessible here).

and AI actors would require strong safeguards for editorial independence, transparent criteria, and independent oversight. Further, such measures would be most effective when combined with competition remedies or compensation mechanisms rather than deployed in isolation.

Public and private funds

30. Journalism funds approach news media primarily as a public good, recognising that market-based compensation alone may be insufficient to ensure media viability, pluralism, independence, and sustainable news ecosystems. These mechanisms typically operate independently of direct content usage and are often justified on democratic, cultural, and public-interest. Public journalism funds have long been used in many jurisdictions to support news production, innovation, distribution, and pluralism, including funding and subsidy models for private, independent, and community media organisations.[27] While such funds can stabilise media ecosystems, their effectiveness depends on transparent governance, implementation mechanisms, clear public interest criteria, respect to editorial independence and safeguards to prevent reinforcing existing market dominance.

31. In addition to public-financed funds, many digital platforms have offered various ongoing and once-off grants and capacity-building initiatives for news organisations, such as the Google News Initiative and the erstwhile Meta Journalism Project. While such initiatives may offer short-term benefits, it has been argued that they fail to address the structural challenges and underlying business models that have played a role in weakening media sustainability in the first place and may introduce new dependencies and risks.[28] The Google News Initiative, for example, provides grants and tools for innovation, but does not restore sustainable compensation flows or correct structural imbalances between digital platforms and media.[29]

32. While these have generally been voluntary initiatives administered by the platforms themselves, more recently, some countries have developed mechanisms for platform-financed public interest funds. Google's payment to support Canadian news organisations in connection to its exemption agreement under the CRTC is one example.[30] South Africa's Digital News Transformation Fund, announced in 2024 as a partnership between Google and the Association of Independent Publishers, represents another significant example.[31] Although the Fund was launched as a voluntary initiative prior to the finalisation of the Competition Commission's Media and Digital Platforms Market Inquiry, the Inquiry's final

[27] See Forum on Information & Democracy, 'A New Deal for Journalism' (2021), 30-35. (Accessible here.)
[28] M de-Lima-Santos, 'Google News Initiative: A double-edged sword for journalism' (2023). (Accessible here); M Dragomir, 'Big Tech Funding: A Band-Aid Solution for Journalism's Struggles' (2023). (Accessible here).
[29] Id.
[30] Canadian Radio-television and Telecommunications Commission, 'Online News Decision CRTC 2024-262: Exemption Order from the Online News Act granted to Google' (2024). (Accessible here).
[31] Association of Independent Publishers, 'AIP and Google launch major South African local news support fund' (2024). (Accessible here).

report retroactively encoded its establishment as one of its binding remedies. The Fund provides multiyear, project-based funding to small, local, independent, and community media to assist with digital transformation and sustainability. It is administered independently and is not linked to individual content usage or licensing arrangements.

33. Such funds may deliver rapid and targeted support, particularly in contexts in which public resources are constrained. However, their often-voluntary nature and limited duration, and lack of a direct relationship to ongoing value extraction mean they are most appropriately viewed as complementary to, rather than substitutes for, regulatory or market corrective compensation mechanisms.

34. Administering international funds for public interest media through an international body could be one approach to mitigate disparities in the bargaining power of different States and ensure that compensation is distributed in a consistent and equitable manner. The administrative constraints of implementing a fund through a multinational organisation would need to be carefully considered to ensure that it is accessible and functional for media of varying capacities and resources. Further, the organisation would need to be governed by transparent and accessible policies and processes to ensure clear and efficient support. The International Fund for Public Interest Media (IFPIM), though not explicitly designed as a compensation mechanism, serves as an illustrative example of the structuring and governance for a multi-lateral funding instrument. UNESCO's International Programme for the Development of Communication (IPDC), as the only universal multilateral funding mechanism dedicated to media development, also provides a relevant institutional precedent.

35. Some jurisdictions have also explored levies or earmarked taxes linked to digital advertising or platform activity, and others continue to rely on subsidies, tax measures, and public funding to support journalism and news, including long-standing systems in Nordic countries as well as newer initiatives aimed at strengthening local and independent media.[32] While these measures do not provide for compensation of media content in themselves, they can similarly play a stabilising role by providing resources for public interest journalism funds or related support mechanisms.

Licensing arrangements

36. Licensing-based approaches root compensation for media in legally recognised rights over content use and reuse. In the platform context, copyright-based mechanisms such as publisher neighbouring rights, introduced under the EU Copyright Directive, aim to strengthen media' negotiating position and enable remuneration where content is systematically reused.[33] While the Directive does not itself establish compensation mechanisms, it has enabled Member States to implement and enforce such arrangements

[32] Nordicom, 'Direct media subsidies to news media: Nordic overview' (2022). (Accessible here).
[33] European Union, 'Directive 2019/790 of the European Parliament an of the Council 17 April; 2019 on copyright and related rights in the Digital Single Market and amending Directives 96/9/EC and 2001/29/EC' (2019). (Accessible here).

at the national level, as France and Italy have done.[34] In May 2026 the Court of Justice of the European Union upheld the right of media to fair compensation, and the corresponding obligations on digital platforms and AI actors, as consistent with EU law.[35] Nonetheless, the effectiveness of the domestic frameworks has been found to vary considerably depending on enforcement capacity, collective management structures, and the interaction with platform market power. In some instances, agreements have been implemented through arrangements that are not publicly disclosed and that involve primarily larger media. These characteristics may result in differing levels of participation among news organisations, including smaller and independent outlets.[36]

37. The emergence of generative AI has significantly expanded the scope of licensing debates. Journalistic content is increasingly used not only for distribution, but also for training AI models and generating outputs that may substitute for direct news consumption. Copyright disputes over the use of news content by AI developers are increasingly ending up in the courts, including in the US[37] and Canada,[38] with media arguing that the large-scale ingestion and use of news content to train generative AI systems constitutes unauthorised use and seeking both compensation and greater transparency regarding how their content is utilised.

38. While in most instances the outcome of these cases remains to be seen, some policymakers and commentators have proposed statutory or collective licensing regimes requiring AI developers to pay standardised fees for the use of copyrighted journalistic works.[39] Such approaches aim to avoid fragmented litigation and first-mover deals that tend to benefit only the largest media, while providing predictable access to high-quality content for AI systems.[40]

39. Alongside these proposals, voluntary bilateral licensing agreements between media and AI developers are proliferating. While these arrangements demonstrate technical feasibility, they raise ongoing questions about equity, transparency, attribution, and long-term effects on news ecosystems.[41]

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[34] IRIS Merlin, 'Neighbouring rights: France is the first country to transpose the European Copyright Directive,' (2019). (Accessible here); IRIS Merlin, 'Transposition of Copyright Directive,' (2022). (Accessible here).
[35] CJEU, 'Press release No. 69/26 Judgment of the Court in Case C-797/23' (12 May 2026). (Accessible here.)
[36] See ACCC BARGAINING CODE SUBMISSION https://www.accc.gov.au/system/files/Private%20Media.pdf
[37] The New York Times Company, 'The New York Times Company v Microsoft Corporation and OpenAI, Complaint,' (2023). (Accessible here); United States District Court, Southern District of New York, 'Opinion and Order on Motion to Dismiss in The New York Times Company v OpenAI and Microsoft,' (2025) (Accessible here).
[38] CBC News, 'Canadian news publishers sue OpenAI over alleged copyright violations,' (2023) (Accessible here). See Toronto Star Newspapers Limited and Others v OpenAI and Others (2024). (Accessible here).
[39] Schiffrin and Carlini, 'A new global push would make AI companies pay for news' *Poynter* (2026). (Accessible here).
[40] Id.
[41] Id.

40. In Denmark, the Danish Press Publications' CMO (DPCMO), established in 2021 to exercise media' neighbouring rights in terms of the EU Copyright Directive, represents a promising practical arrangement for collective licensing and rights' management between media and digital platforms. Membership is free, non-exclusive, and voluntary, but allows a single point of negotiation for licensing agreements. The proceeds of any collective licensing arrangement are disbursed through a simple mixed formula to address different prerogatives among its members: 10% of the total is distributed equally among all members, to ensure a base revenue even for small-scale media; then, each member's individual share is calculated through a split formula (50% is based on the total number of indexed articles, and 50% is based on the total number of online words) to recognise the interests of both short-form and long-form media. This arrangement has resulted in interim licensing agreements with search providers, albeit with continued challenges with platform transparency. After repeated attempts to enter negotiations with Open AI over its use of its members' content, DPCMO has resorted to litigation, reflecting a shift toward collective enforcement strategies to address structural imbalances in bargaining power.[42]

Co-regulatory and self-regulatory frameworks

41. Co-regulatory approaches combine industry-negotiated norms with statutory oversight or enforcement backstops. In the compensation context, these frameworks may include codes of conduct governing fair negotiation practices, attribution standards, transparency obligations, and dispute resolution processes.

42. The Australian and Canadian bargaining systems set out above both rely on this hybrid logic, blending voluntary agreements with credible regulatory escalation mechanisms. By contrast purely self-regulatory initiatives such as publisher-led coalitions, like the Standards for Publisher Usage Rights (SPUR) coalition, advocating shared technical standards for AI licensing demonstrate growing coordination within the media sector but remain dependent on digital platforms and AI actors' uptake and recognition within regulatory frameworks.[43] Their effectiveness is therefore closely tied to the presence of complementary legal or policy instruments.

Voluntary agreements and hybrid solutions

43. Voluntary commercial agreements between digital platforms and media remain the most prevalent form of compensation globally, such as the licensing agreements set out above. They can deliver tailored outcomes and short-term financial support, particularly in the absence of regulation. However, such agreements typically reflect underlying power asymmetries and offer limited guarantees of equity, transparency, or durability. Recent developments also show that voluntary arrangements can take diverse forms beyond traditional licensing, including agreements in which platforms provide technical or

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[42] Danish Press Publications' Collective Management Organisation, 'A united Danish media industry takes OpenAI to court,' (2025) (Accessible here).

[43] See, for example: Whitehead 'UK publishers form SPUR as global AI standards movement accelerates' *International News Media Association* (2026). (Accessible here).

infrastructural advantages -such as high-speed access to content- in exchange for remuneration[44]

44. Comparative experience increasingly indicates that hybrid and multi-track approaches, such as combining legislative measures, competition remedies, financial support mechanisms, licensing frameworks, and governance standards, are more resilient than reliance on any single tool. For Member States, the central policy challenge is therefore not whether to pursue fair compensation mechanisms, but how to design coherent combinations that reinforce media freedom, equity, and long-term sustainability across rapidly evolving digital and AI-mediated environments. It is also relevant to note that several attempts to develop sector-wide news aggregation or qualified-subscription models have so far struggled to achieve scale or sustainability, underscoring the limitations of purely market-driven solutions in this domain[45].

C. GUIDING PRINCIPLES

45. As demonstrated above, mechanisms for fair compensation and remuneration can take a variety of shapes, subject to the context of each jurisdiction, and there is no single appropriate mechanism. Nonetheless, the evidence from experiences around the world demonstrates that there is a common set of overarching values and normative foundations that should shape efforts to ensure a fair value exchange for journalism and news in a wide variety of contexts, and which should inform the conduct of all stakeholders.

45.1. **Human rights and freedom of expression**: Compensation and remuneration mechanisms should enforce and expand media freedom, rather than constrain it, and ensure that journalism remains independent and free from political, commercial, or any external interference.

45.2. **Journalism and news as a public good**: Compensation and remuneration mechanisms should recognise journalism and news as critical to democratic participation and healthy and trustworthy information ecosystems and support its long-term sustainability.

45.3. **Equity, inclusion, and media plurality**: Recognising that local, community, and smaller independent media , including outlets serving marginalised language communities and underrepresented populations, have been disproportionately affected, while often lacking the negotiating resources, technical capacity, and

[44] **See** Ars Technica, *"Wikipedia will share content with AI firms in new licensing deals,"* January 2026, available at: https://arstechnica.com/ai/2026/01/wikipedia-will-share-content-with-ai-firms-in-new-licensing-deals/.

[45] See also Upgrade Media, *"'Spotify for news': aggregation as a challenge for publishers,"* which outlines the structural and economic barriers that have hindered the scalability of unified news-subscription platforms, available at: https://upgrademedia.fr/en/spotify-for-news-aggregation-as-a-challenge-for-publishers/.

market scale to sustain themselves within the prevailing digital environment, compensation and remuneration mechanisms should support diverse media ecosystems and avoid reinforcing market concentrations. Wherever possible, they should include mechanisms to ensure fair access and benefits for small, independent, and community media, including marginalised language outlets, and to help prevent further local news-desertification.

45.4. **Transparency and accountability**: Digital platforms and relevant AI actors should operate with clear, auditable transparency around content collection and use, data flows, algorithms, attribution, and remuneration, enabling informed oversight and accountability.

45.5. **Independent oversight:** Compensation and remuneration mechanisms should operate under independent oversight. Oversight bodies, whether regulators, administrators of pooled disbursement vehicles, or auditors of platform and AI-developer data, should be legally and operationally independent, free from capture, and subject to clear criteria, multi-stakeholder input and judicial review.

45.6. **Attribution and recognition**: Digital platforms and AI actors should ensure clear and consistent attribution of journalistic content, supporting both visibility and economic value for news.

45.7. **Fairness and economic balance**: Compensation and remuneration mechanisms should address structural power imbalances between media and digital platforms or AI actors, ensuring equitable negotiations, value sharing, and non-retaliatory practices.

45.8. **Technology adaptability and future-readiness**: Compensation and remuneration frameworks should remain flexible and capable of addressing emerging technologies so that value-sharing models stay relevant as digital practices evolve.

45.9. **Multi-stakeholder participation**: Fair and effective compensation and remuneration mechanisms require collaboration among states, digital platforms and AI actors, media, civil society, and academia, ensuring balanced governance and preventing capture by any single actor or interest group.

D. RESPONSIBILITIES

46. Fair value exchange is not the responsibility of a single actor and cannot be achieved through isolated interventions. It is an ecosystem-wide project that depends on the coordinated participation of multiple stakeholders, including governments and regulators, digital platforms and AI actors, media organisations, civil society and academia, and multilateral organisations.

47. This section sets out the respective responsibilities of key actors, recognising that only through shared accountability, mutual transparency, and sustained engagement can fair compensation models support media freedom, diversity, pluralism, and long-term sustainability in continuously evolving digital and AI-mediated environments.

States' duties to respect, protect and fulfil human rights

48. This section describes the duties of states, including governments, legislatures, regulators, and competition authorities, to protect and fulfil human rights, especially freedom of expression and associated rights. Especially where there are entrenched power asymmetries, high market concentration, and significant risks to media pluralism, states have an obligation to take robust, proactive measures to protect against adverse human rights impacts. This includes:

48.1. **Ensuring a fair playing field:** States must ensure that there is an enabling environment for a fair value exchange between platforms and media which meets the principles outlined in Section C. The approach may differ according to jurisdiction and context but, broadly, should serve to offset any significant power imbalance, market concentration, or other market failures to ensure stakeholders can arrive at a fair value exchange. Where appropriate, states should use competition law and other regulatory tools to identify and address any digital platforms and AI actors' abuse of market dominance to extract news content on unfair terms. Regulatory authorities must act independently, impartially, and in the interest of fairness, and ensure an approach which is transparent, participatory, and unbiased. None of the interventions discussed above replace the responsibility of states to support media development, and progress on fair compensation mechanisms should not be used to diminish or avoid public obligations to sustain a healthy media ecosystem.

48.2. **Establish clear, fair, and enforceable legal frameworks:** Where necessary, relevant authorities must ensure clear legal frameworks that define the rights of media in relation to the use of their content by digital platforms and AI actors. This may include the clarification, amendment, and extension of applicable legal frameworks, provision of appropriate enforcement and review mechanisms, and the establishment of clear, accessible and transparent criteria on key policy issues such as content use, compensation eligibility, and enforcement thresholds. These frameworks should strike an appropriate balance between ensuring the free flow of information and exchange of ideas and protecting the rights of media from misuse at scale. Aligned to the principle of future-readiness, where possible legal and policy frameworks should include mechanisms for participatory periodic review to ensure they are adaptive to change.

48.3. **Cross-border coordination, learning, and exchange:** Recognising that fragmented regulatory approaches weaken the ability of individual jurisdictions to address global platform power, wherever feasible, authorities should coordinate across jurisdictions to harmonise public-policy approaches and enable coordinated regulatory action. Where coordinated approaches are unfeasible, at a minimum, state actors should seek to create harmonised standards to ensure a coherent framework for cross-border compliance and to foster learning and iteration across jurisdictions.

48.4. **Willingness to innovate:** Each of the approaches outlined above represents a good-faith effort by various stakeholders to respond to novel and rapidly changing questions of technology, public policy, and the information ecosystem. No single approach is without its flaws, and none is likely to offer a simple yet effective solution by itself. Some may be better adapted to meet each jurisdiction's needs, norms, and regulatory contexts than others. Recognising this, there is both an opportunity and a need in any given jurisdiction to approach these questions with creativity, curiosity, and a willingness for innovation, either to build on and learn from existing approaches, or to develop new and innovative approaches that could forge a path for other jurisdictions and sectors.

48.5. **Recognising independent journalism as a public good:** Underlying these responsibilities, states should establish concrete policy measures to recognise and protect journalism and news as a public good that delivers public benefits beyond private commercial value, in line with their commitment under international law to support freedom of expression and the press. This recognition informs the need for appropriate public policy measures to ensure an enabling environment for news media viability, diversity and pluralism, including through measures that go beyond market-based solutions. These may include, but are not limited to, public funding programmes, tax subsidies for news production and dissemination, and programmes and policies which explicitly support the visibility and viability of local and independent media to ensure diversity and pluralism.

Responsibilities of digital platforms and AI actors to respect human rights

49. This section describes broad responsibilities of digital platforms and AI actors, acknowledging distinct nuances and considerations that may apply according to the nature of their technology, and the model or approach for compensation under consideration:

49.1. **Commitment to fair value exchange:** Recognising that public-interest journalism contributes substantially to the quality, credibility, and market value of established and emerging digital technologies, including search verticals and generative AI models, and that it is threatened by the disruptive impact of new technologies, digital platforms and AI actors should ensure a fair-value exchange with media that conforms to the principles outlined in Section C. This acknowledgement forms the basis from which all compensation discussions should proceed.

49.2. **Transparency and disclosure:** To create an enabling environment for a fair value exchange, digital platforms and AI actors should provide foundational transparency about the role and usage of data from media in their systems, including information relating to usage and engagement and meaningful data and methodologies for revenue attribution and value calculation. In the case of search platforms, this also includes data about engagement and visibility of their content, such as impressions, click-through rates, and featured snippet usage. In the case of AI systems, this includes detailed information about how data from media is used in the development and output of their models. While this may be subject to reasonable technical constraints and protections for user privacy and commercially sensitive information, to the extent possible developers should adopt technical standards and protocols that enable such data to be collected and disclosed to the relevant parties in order to allow for a fair and informed assessment of the value exchange for all parties involved.

49.3. **News publisher consent and choice:** Digital platforms and AI actors that seek to make substantial use of news publisher content should adopt technical approaches and tools that enable media to exercise meaningful choice and consent about the use of their content in the technology. These tools and approaches should avoid a 'Hobson's choice': for example, where a technology seeks to make use of news publisher content for multiple purposes (for example, both for search *and* the development of generative AI tools), media should be able to give or withhold consent for each of these purposes separately. Where media decline consent, digital platforms and AI actors should respect those decisions.

49.4. **Attribution and provenance:** Flowing from the foundational commitment to transparency, generative AI systems that make use of news publisher content should ensure that clear and reliable attribution and provenance are a design characteristic of their models and tools, and avoid design choices that discourage users from exploring key news content from which an output is derived. This serves end users by offering a degree of clarity and context for how an output was derived, and serves media by providing appropriate credit and visibility for their work.

49.5. **Support visibility and discovery:** Notwithstanding any financial or commercial mechanisms used to achieve a fair value exchange, digital platforms and AI actors should remain fundamentally committed to enhancing media' visibility and viability, for example through link placement, attribution, traffic referral, and other relevant means. Compensation arrangements between digital platforms and media should complement, not substitute for, organic traffic and discovery. Aligned to the due-diligence principle detailed below, digital platforms and AI actors should provide advanced notice and meaningful consultation on any planned changes to ranking or discovery systems which could affect media' reach and visibility, and ensure that any impact is properly addressed and mitigated.

49.6. **Non-discrimination in content distribution**: Digital platforms and AI actors should not adopt measures that penalise media in response to the development of compensation frameworks or decisions by media to enter negotiations, or to decline to enter an agreement, or to exercise their right to restrict data usage. Examples of punitive actions include removing news content from their platforms, or altering media' ranking or visibility. Conversely, media should not receive preferential ranking purely because they have accepted compensation terms or agreed to broader data use. Search and news aggregator platforms should apply consistent indexing and ranking criteria for news content appearing in general search results, based on factors such as content quality, relevance, and user interest, regardless of the outcomes of compensation arrangements or consent choices.

49.7. **Due diligence:** Aligned to Principle 1 of the Guidelines for the Governance of Digital Platforms,[46] digital platforms and AI actors should conduct regular risk assessments of all products and technologies to identify and address any impacts on human rights, which for these purposes especially includes freedom of expression and freedom of the press, and adherence to the principles and responsibilities detailed above. Such due diligence processes should be undertaken periodically as a matter of course, and before any major design change, policy decision, or change in operations. Due diligence processes should be transparent, auditable, and subject to independent review and meaningful external engagement.

Commitments of media

50. This section describes the role of media in the pursuit of fair compensation arrangements, recognising that sustainability requires a multistakeholder approach:

50.1. **Commitment to collaboration and cooperation:** Recognising the stark power imbalances between different stakeholders, wherever possible media should seek to act collectively in order to strengthen their negotiating position and to establish clear, unified bases for engagements with digital platforms and AI actors. Collaborative and cooperative approaches should be voluntary and non-exclusive, and include provisions and safeguards for meaningful participation for small, independent, and alternative media who may otherwise be marginalised. Media should maintain their right to editorial and organisational independence, while recognising that the seriousness of the crises facing news media ecosystems calls for an exceptional commitment to working for the common good and long-term viability of the sector, rather than purely for each publisher's own short-term advantage.

[46] UNESCO, 'Guidelines for the Governance of Digital Platforms,' (2023), 35. (Accessible here).

50.2. **Commitment to fair play:** Flowing from this commitment, media should support fair market conditions and avoid exclusive or tied arrangements that foreclose fair competition or prevent other media from negotiating equivalent terms. Exclusive arrangements can fragment the market and harm the broader ecosystem. Similarly, media should require that any public-policy measures relating to fair-value exchange include adequate protections for media plurality and diversity.

50.3. **Commitment to equality and non-discrimination among media:** Aligned to the commitments to fair play and inclusivity in any collective approaches, media should ensure that compensation arrangements include mechanisms to protect media diversity and pluralism, and to avoid outcomes that exacerbate existing inequalities in the news media landscape. The design of any collective negotiation or licensing mechanism should include equitable distribution criteria that ensures an adequate baseline provision of support for small, independent, and under-served media.

50.4. **Commitment to strengthening journalism:** A core underlying rationale for compensation arrangements is to strengthen and sustain public-interest journalism. Irrespective of the mechanism or approach involved, media are generally expected to reinvest any resources or proceeds towards editorial capacity and journalistic output.

50.5. **Commitment to editorial independence:** Media should maintain editorial independence and ensure that compensation arrangements bear no influence on how news is reported or curated. Any such compensation arrangement should include clear, enforceable contractual safeguards against editorial interference, and provide for transparent disclosure of any commercial relationship between digital platforms and media. Media should also uphold recognised professional standards and participate in independent self-regulatory mechanisms, ensuring that journalistic integrity, ethical norms, and accountability frameworks remain fully insulated from commercial pressures.

Role of civil society and academia

51. To ensure an ecosystem for fair value exchange, civil society and academia play a critical enabling and safeguarding role that complements the functions of governments, regulators, platforms, and media organisations.

51.1. **Independent monitoring and accountability mechanisms**: Civil society organisations and academia can assist in strengthening accountability and the accountability and trust in platforms – publisher compensation frameworks by independently monitoring how such frameworks operate in practice, including whether implementation is fair, transparent, and taken up without retaliation or discrimination.

51.2. **Research and evidence generation**: Through empirical research, market analysis, and qualitative evidence, civil society organisations and academia can generate data to inform assessments of whether compensation mechanisms are achieving their stated objectives or producing unintended consequences. This evidence is essential for informed policy evaluation, course correction, and long-term learning. This is particularly important within the context of fast-evolving platforms and AI environments where official data may be limited or asymmetrically controlled.

51.3. **Articulation of public interest perspectives**: Civil society organisations and academia can contribute to policy development and inclusivity in compensation mechanisms through articulating public interest perspectives that could otherwise be marginalised in commercial negotiations. Further, they should amplify the concerns of small, local, community, and marginalised language media, and support their participation in collective mechanisms. This ensures that compensation frameworks do not reinforce existing inequalities.

51.4. **Capacity building**: Civil society and academia play an important role in translation, capacity building and empowerment. They should act as intermediaries where needed to assist in understanding complex value exchange frameworks, which may otherwise only be accessible to large, well-resourced organisations. This function is particularly important where technical, legal, or negotiating capacity may be uneven and where collective participation is essential for equitable outcomes.

Responsibilities of multilateral organisations

52. Multilateral organisations occupy an important position in the ecosystem for fair value exchange. They enable the setting, refinement, and implementation of international standards against which national approaches are measured, convene stakeholders that would otherwise transact at scale only through the market, support states with limited regulatory capacity, and can link this work to broader development and digital governance agendas.

52.1. **Standard-setting and norm development:** Multilateral organisations should articulate and regularly update international standards that bear on fair compensation for journalism and news as an enabling component to the rights to freedom of expression and access to information, and anchoring the duties of states within broader international frameworks such as the 2030 Agenda for Sustainable Development (in particular SDG 16.10 on access to information), the Pact of the Future, the Global Digital Compact, and the UN Guiding Principles on Business and Human Rights. Such standard-setting should be undertaken inclusively, drawing on the experience of all regions and in consultation with the full range of stakeholders, in recognition of a strong news ecosystem as a global public good warranting sustained international cooperation. Acknowledging the international copyright and intellectual property framework that underpins many of the rights-based mechanisms discussed herein, multilateral organisations, including UNESCO, the World Intellectual Property Organisation (WIPO), the Organisation for Economic Co-operation and Development (OECD) and relevant regional bodies should work together to ensure coherent international policy frameworks that address contemporary and emerging policy challenges for the news media ecosystem, including ongoing engagements on artificial intelligence and copyright, and complementary questions of media viability, freedom of expression, and the diversity of cultural expressions.

52.2. **Enabling multi-stakeholder collaboration and coordination:** Multilateral organisations should provide trusted, inclusive fora for states, digital platforms and AI actors, media, civil society, and academia to engage on equal footing. Given the pronounced asymmetries of power and resources between actors, multilateral organisations need to provide neutral convening spaces that ensure meaningful inclusion and participation for smaller states, independent media, and stakeholders from the global South.

52.3. **Supporting accountability for international obligations**: Through their established monitoring, reporting, and peer-review mechanisms, multilateral organisations have an important role to play in tracking and assessing Member States' implementation of international human rights obligations as they bear on the news media ecosystem. This includes obligations relating to freedom of expression, media pluralism, and the protection of journalism as a public good.

52.4. **Cross-jurisdictional learning and harmonisation:** Recognising that fragmented national responses can lead to incomplete and ineffective solutions for challenges stemming from platforms operating across jurisdictions, multilateral organisations should facilitate comparative learning across jurisdictions, identify points of convergence, and support harmonisation of approaches where appropriate. Importantly, harmonisation should not be pursued at the expense of context-sensitivity, but rather should aim at developing coherent principles and a shared approach and vocabulary.

52.5. **Capacity-building and technical support:** Multilateral organisations should offer direct technical assistance and capacity building to Member States that seek regulatory, analytic, or institutional support to introduce or refine fair-compensation measures. This includes the development of model frameworks, accessible tools for valuation and monitoring, training for and supporting coordination between regulators and competition authorities, and support to civil society partners. Particular attention should be paid to Member States whose markets or jurisdictional reach may not be large enough to ensure bilateral engagement from digital platforms and AI actors.

52.6. **Evidence and comparative research:** Multilateral organisations can produce, commission, and disseminate independent research, indicators, and comparative analyses on the state of news media viability, platform-publisher relations, and the implementation and effects of fair-compensation measures. The asymmetric control of data by platforms makes this function particularly important, as independent, internationally credible evidence is a precondition for informed and effective policymaking.

Summary table: Responsibilities of key actors

KEY ACTOR	KEY RESPONSIBILITIES
STATES	• Ensure a fair playing field; use competition law to address platform dominance. • Establish clear, enforceable legal frameworks defining media' rights. • Coordinate and harmonise approaches across jurisdictions. • Innovate and adapt mechanisms to local contexts. • Recognise journalism as a public good; support beyond market mechanisms.
DIGITAL PLATFORMS AND AI ACTORS	• Commit to a fair value exchange with media. • Provide transparency on engagement, data use, and revenue attribution. • Enable meaningful, separate consent across each use case. • Build clear attribution and provenance into AI systems. • Support visibility and discovery; complement, not replace, organic traffic. • Apply consistent, non-discriminatory indexing and ranking. • Conduct regular, auditable human rights due diligence.
MEDIA	• Act collectively; safeguard small and independent media. • Avoid exclusive arrangements; protect media plurality. • Build equitable distribution into collective mechanisms. • Reinvest proceeds in editorial capacity and journalistic output. • Maintain editorial independence; disclose commercial relationships.
CIVIL SOCIETY AND ACADEMIA	• Independently monitor implementation and retaliation risks. • Generate empirical research and evidence on outcomes. • Articulate public interest perspectives; amplify marginalised voices. • Build capacity for smaller, less-resourced actors.
MULTILATERAL ORGANISATIONS	• Set and update international standards; coordinate with other bodies. • Convene inclusive multi-stakeholder fora, including the Global South. • Monitor Member States' compliance with international obligations. • Facilitate cross-jurisdictional learning and harmonisation. • Provide technical assistance and model frameworks. • Commission and disseminate independent research, indicators, and comparative analyses.

APPENDIX: RESOURCES

International and regional framework documents

- *OECD. Intellectual Property Issues in Artificial Intelligence Trained on Scraped Data: OECD Artificial Intelligence Papers. (2025)*
  https://www.oecd.org/en/publications/intellectual-property-issues-in-artificial-intelligence-trained-on-scraped-data_d5241a23-en.html
- *UNESCO. Guidelines for the Governance of Digital Platforms: Safeguarding Freedom of Expression and Access to Information through a Multistakeholder Approach. (2023)*
  https://unesdoc.unesco.org/ark:/48223/pf0000387339
- *UNESCO. The Guidelines for the Governance of Digital Platforms and Generative Artificial Intelligence: Companion Document. (2025)*
  https://unesdoc.unesco.org/ark:/48223/pf0000395825
- *UNESCO/OHCHR. Protecting Critical Voices: Guidance for Human Rights Impact Assessment on Digital Platforms. (2025)*
  https://doi.org/10.58338/YOXE5767
- *UNESCO. AI and the Future of Journalism: An Issue Brief for Stakeholders. (2024)*
  https://unesdoc.unesco.org/ark:/48223/pf0000391214/PDF/391214eng.pdf.multi
- *Geiger, Bossi and Di Lazzaro. The Voss and Jensen Parliamentary Reports on Copyright and Generative AI: A Wrong Step in the Right Direction? ILEO Research Paper Series No. 26-01, Luiss University. (2026)*
  https://papers.ssrn.com/sol3/papers.cfm?abstract_id=6537278
- *Radsch and Schiffrin. Exploring Must-Carry for News in the Platform Economy. (2025)*
  https://papers.ssrn.com/sol3/papers.cfm?abstract_id=6035354
- *Forum for Information and Democracy / OSCE. Policy Manual: Safeguarding Media Freedom in the Age of Big Tech Platforms and AI. (2025)*
  https://informationdemocracy.org/wp-content/uploads/2025/10/PolicyManual_Digital_Final.pdf

National and regional initiatives

- *Australian Treasury. News Bargaining Incentive: Consultation Paper. (2025)*
  https://storage.googleapis.com/files-au-treasury/treasury/p/prj38f28c23f2accd6993e91/page/c2025_718159.pdf
- *Australian Treasury. Freedom of Information Release: News Bargaining Incentive Briefing. (2025)*
  https://treasury.gov.au/sites/default/files/2025-03/foi-3868_0.pdf
- *Competition Commission South Africa. Media and Digital Platforms Market Inquiry (MDPMI): Final Report. (2025)*
  https://www.compcom.co.za/wp-content/uploads/2025/11/CC_MDPMI-Final-Report_Non-Confidential-1.pdf
- *European Commission. Creative Europe MEDIA strand. (2026)*
  https://culture.ec.europa.eu/creative-europe/creative-europe-media-strand

- *European Commission. Audiovisual Media Services Directive (2026)* https://digital-strategy.ec.europa.eu/en/policies/audiovisual-and-media-services
- *EUIPO. The Development of Generative AI from a Copyright Perspective: Full Report. (2025)* https://www.euipo.europa.eu/en/publications/genai-from-a-copyright-perspective-2025
- *UK Government. Future of news is local, says Culture Secretary, as she launches the first action plan to back local news in a generation.* (2026) https://www.gov.uk/government/news/future-of-news-is-local-says-culture-secretary-as-she-launches-the-first-action-plan-to-back-local-news-in-a-generation
- *Momentum Submission. Contribution to the Brazilian CADE Administrative Inquiry on Digital Platforms and Journalism. (2025)*

Academic and research papers

- *Cohen and Davies. Opt-out Remedies will not Fix AI Overviews. Journal of European Competition Law & Practice. (2026)* https://doi.org/10.1093/jeclap/lpag025
- *Schiffrin and Mateen. How to Calculate What News is Worth to AI. In Flew and others (eds) Valuing News: Digital Platforms and Journalism Futures (Palgrave Macmillan, 2026)* https://link.springer.com/chapter/10.1007/978-981-95-2341-2_7

Industry and civil society

- *WAN-IFRA. The AI Content Market is Taking Shape: Four Imperatives Media Must Tackle Now. (2026)* https://wan-ifra.org/2026/03/the-ai-content-market-is-taking-shape-four-imperatives-news-publishers-must-tackle-now/
- *WAN-IFRA. RSL's AI-use Compensation Plan for News: 'We think this is a $100 billion opportunity for publishers.' (2026)* https://wan-ifra.org/2026/04/rsls-ai-use-compensation-plan-for-news-we-think-this-is-a-100-billion-opportunity-for-publishers/
- *M de-Lima-Santos. Google News Initiative: A double-edged sword for journalism. (2023)* https://www.cogitatiopress.com/wp/lta/google-news-initiative-a-double-edged-sword-for-journalism
- *M Dragomir. Big Tech Funding: A Band Aid Solution for Journalism's Struggles. (2023)* https://mpmonitor.org/big-tech-funding-a-band-aid-solution-for-journalisms-struggles/
- *Granger. Ex-Google Madhav Chinnappa: 'NATO for News' Model is Our 'Least Worst Option' for Dealing with AI. (2026)* https://www.journalism.co.uk/ex-google-madhav-chinnappa-nato-for-news-model-is-our-least-worst-option-for-dealing-with-ai/
- *Forum for Information and Democracy, Working Group on the Sustainability of Journalism. A New Deal for Journalism. (2021)* https://informationdemocracy.org/wp-content/uploads/2021/06/ForumID_New-Deal-for-Journalism_16Jun21.pdf

- *Forum for Information and Democracy. Policy Brief: A Digital Tax to Support Quality Journalism: Applying the polluter pays principles to Big Tech platforms. (2025)* https://informationdemocracy.org/wp-content/uploads/2025/09/Policy-Brief-Digital-Taxes-for-Quality-Journalism-2.pdf
- *Forum for Information and Democracy. Policy Brief: Ads for News, News for Ads: The role of government in reforming the digital advertising market. (2026)* https://informationdemocracy.org/wp-content/uploads/2026/03/Policy-Brief-FID-%E2%80%93-Ads-for-news-news-for-Ads-1.pdf
- *Centre for Media, Technology and Democracy. Canada's News Bargaining Code: An Unabridged Account of Bill C-18. (2025)* https://www.mediatechdemocracy.com/c-18-news-bargaining-report
- *Bridgman and Owen. AI News Audit: AI, Canadian Journalism, and Paths for Policy Action. (2026)* https://www.mediatechdemocracy.com/all-work/ai-canadian-journalism-and-paths-for-policy-action
- *Gordon Institute of Business Science (GIBS). Big Tech and Journalism: Principles for Fair Compensation. (2023)* https://www.gibs.co.za/news/big-tech-and-journalism---principles-for-fair-compensation
- *Gordon Institute of Business Science (GIBS). Big Tech and Journalism: Building a Sustainable Future in the Global South conference report. (2023)* https://content.gibs.co.za/cmscontent/media/sgigbp4e/big-tech-and-journalism-2023-conference-report.pdf.

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