To the European Data Protection Board (EDPB)

Contribution to the public consultation on Guidelines 02/2026 on Anonymisation

About Auditel

Auditel is the Italian television audience measurement company, established in 1984 as a Joint Industry Committee (JIC). The model brings together publishers, advertisers, advertising agencies and media agencies. Auditel measures the audiences of more than 400 television broadcasters. In 2019, it supplemented its sample-based measurement using the SuperPanel with census measurement (known as "census"), which measures the consumption of editorial and advertising content through browsers and applications, both in and outside the home. Since 2022, the Total Audience system has integrated linear television audiences with those of content viewed on digital devices.

This activity serves statistical purposes and contributes to transparency in the advertising and media markets, without pursuing individual profiling for direct marketing purposes.

Through this submission, Auditel wishes to contribute to the EDPB's public consultation on Guidelines 02/2026 on Anonymisation (the "Guidelines") by urging the Board to include specific practical examples in their final version. These examples would provide JICs such as Auditel with practical, relevant and applicable guidance on independent audience measurement, also in line with the express provisions on audience measurement in the latest draft of

Auditel S.r.l.
Via Larga, 11
20122 Milano
P.I./C.F. e iscrizione R.I. Milano 07483650151
Numero REA Milano 1164218
Capitale sociale euro 300.000 i.v.
T +39 02 5829861
F +39 02 58298632
auditel@auditel.it
PEC auditel@legalmail.it
www.auditel.it

the Council of the European Union's negotiating position on the Digital Omnibus (approved on 21 October 2026).

Auditel's Contribution

Auditel welcomes the contextual approach taken in Guidelines 02/2026, which assesses the identifiability of data and data subjects by reference to the entities involved, the information available and the means reasonably likely to be used by them. Auditel understands that this approach entails a likelihood of identification that is insignificant in practice, without requiring zero risk (paragraphs 6-15 and 22 of the Guidelines).

Similarly, as part of its census audience measurement, Auditel applies measures to transform identifiers, reduce information and restrict access within the anonymisation process. The process is currently carried out in accordance with the rules and guidance issued by the Italian Data Protection Authority, in particular the "*Guidelines on cookies and other tracking tools*" of 10 June 2021. These expressly provide for analytics trackers used by third parties (such as JICs) to be equated with technical cookies where data minimisation measures are adopted that significantly reduce their identifying potential, in order to prevent their use from leading to the direct identification of the data subject ("singling out"). In particular, Auditel, expressly recognised as the sole entity responsible for collecting and disseminating television audience data in Italy, has designed its census measurement of online video content consumption and viewing by users accessing publishers' content through web browsers and/or mobile apps to incorporate specific measures for anonymising users' personal data.

Auditel asks the Board to supplement the general principles and useful illustrative practical cases in the Guidelines with examples concerning the measurement of content viewing by Joint Industry Committees ("JICs"), specifying which entities and information are relevant at the different stages



of measurement and how to justify the outcome of the assessment, taking into account the measures actually adopted to protect personal data and the concrete possibilities of identifying (and/or re-identifying) data subjects. For the purposes of this public consultation, Auditel specifically proposes that the Board introduce the following four examples concerning JICs, taking into account that the audience measurement activities carried out by these entities are conducted in pursuit of their institutional purposes, as recognised by the competent authorities (i.e. AGCOM for Auditel in Italy), to produce audience data that constitute the market currency upon which market operators rely to define their strategies, particularly with regard to broadcasters' programming schedules, advertising investment decisions, and the negotiation of fees for the licensing of channels and content.

1. Census measurement and identifiers

Under paragraphs 19, 25 and 98-103 of the Guidelines, recognising a device requires an assessment of whether this also allows the person using it to be distinguished and also that the identifiers or attributes do not necessarily have to be about the individual per se but can also be about other individuals, groups or objects which are otherwise linked to them. A first example should illustrate a system in which a JIC uses transformed identifiers to recognise multiple viewing events relating to the same device and produce statistical measurements. The example should clarify when such linking also enables the person using the device to be identified and whether in the audience measurement processes described, a processing activity qualifies as fingerprinting. Therefore, Auditel asks for the distinction already drawn in the Guidelines between the uniqueness or linkability of a record and the identifiability of the data subject to be made applicable to audience measurement, also with reference to fingerprinting.

Specifically, the example could compare situations involving different levels of detail in the information associated with events, different observation periods and different possibilities for linking it with other sources. It would be useful to explain which circumstances allow data subjects to be identified and distinguished, and which checks are necessary to assess the actual likelihood of re-identification.

The example should indicate the elements to be documented to justify a conclusion, where appropriate, that the data is anonymous, even where a record remains unique or certain events and/or data (including technical data) can be linked, while also taking into account the other criteria in the Guidelines.

2. GDPR compliance and anonymisation process in audience measurement

Under paragraphs 37 and 38 of the Guidelines, the principles of data protection apply whenever personal data is processed, which includes processing operations carried out to obtain anonymous information. To make it possible to verify this principle, it would be useful to clarify that anonymization processes, such as “Generalisation” and “Randomisation” measures (e.g. from a geographical perspective, by deriving the corresponding “Country–City” tuple, and subsequently by replacing the last bits of the final octet of the four octets comprising an IP address), which ensure that neither the Controller nor its processors and sub-processors collectively are able to uniquely attribute the traffic data to the user who generated it, must be processed on personal data both from a technical perspective and in order to ensure the accuracy and consistency of the audience data produced by a JIC based on these data for census measurement.

3. Entities involved and access to data

A third example should provide practical guidance on applying the rule that, when an entity processes information on behalf of the Controller, the assessment is conducted from the latter's perspective (paragraphs 11-15 of the Guidelines). The example should consider a system, similar to the ecosystem in which Auditel operates, in which JICs, publishers and service providers hold different information and have different levels of access to data. It should distinguish the entity that, as Controller, determines the purposes and means of measurement, the service providers acting on its behalf and any recipients that independently use the measurement results (also acting as Controllers).

Auditel also requests guidance on how to take account of the separation of information and access controls, assessing their effectiveness alongside the possibilities for communication and linkage between the entities involved. These measures contribute to the contextual assessment and require the concrete possibilities of identification to be examined (paragraphs 20-22 and 89-91 of the Guidelines).

It would be useful to show which elements distinguish a concrete possibility of re-identifying the data subject from a purely abstract hypothesis, and how to take account of a likelihood of identification that is insignificant in the context concerned (paragraphs 28-29 and 41 of the Guidelines).

4. Statistical results and dissemination

With regard to the *"No Inference"* requirement (section 3.4.3 of the Guidelines), examples 13-19 in the Guidelines should be supplemented by a specific example concerning the statistical results of census measurement, distinguishing a general estimate of how widely particular content is viewed from information that allows a specific person's behaviour to be reconstructed. In this example, Auditel specifically asks for an explanation of when the conclusions drawn from the results express defined and distinct characteristics of the population and when, instead, they may enable information relating to an individual data subject to be inferred, applying to audience measurement the distinction set out in paragraphs 67-71 of the Guidelines.

The example should also consider the periodic dissemination of statistics, comparisons between multiple results and information about small groups, clarifying which checks should be carried out before publication and taking into account other information that is reasonably accessible (paragraphs 72, 76-82 and 89 of the Guidelines).

Conclusions

Auditel hopes that these examples will be included in the Guidelines. These additions would help JICs to document their assessments and apply consistent criteria at the different stages of measurement, supporting the production of statistical information while respecting data subjects' rights, in pursuing the general-interest objectives of audience measurement activities.