

Broadcast Networks Europe's views on the upcoming Council Decision establishing the EU's position at WRC-23

May 2023

BNE notes that the European Commission adopted on 4 May 2023 its proposal for a Council Decision establishing the EU's position on issues related to spectrum use to be discussed at the World Radiocommunication Conference 2023 (WRC-23) of the International Telecommunication Union (ITU). BNE would like to take the opportunity of this important milestone towards an EU position at WRC-23, including on the UHF Band 470-790 MHz on which digital terrestrial television relies, to reiterate its position.

As the Radio Spectrum Policy Group (RSPG) reminded in its opinion on the WRC-23 from 9 December 2022, the EU position must be compliant with EU law, in particular the EU UHF Decision which is a strategic and balanced compromise found in Europe around the allocation of the UHF Band 470-790 MHz. Any related discussions before WRC-31 must thus be excluded to respect the period of regulatory certainty which is an intangible part of the EU UHF Decision.

Should some wording be envisaged for WRC-31, as is the case in the RSPG opinion, it should not be biased in favor of considering an upgrade to primary status for mobile services. Setting the agenda item in the latter way would go beyond the EU law and create a dangerous entry point for non-European interests favoring co-primary to push for a final compromise at WRC-23 which could be worded in an even more biased way. Since any biased wording would endanger reinvestment and investment for innovation, such as 5G Broadcast, **BNE calls for a neutral wording** that could mention a possible review of spectrum use and needs but certainly not presume any upgrade of the secondary mobile allocation.

While recognizing the value of excluding the option of co-primary allocation to mobile at WRC-23 and envisaging a compromise with the minority of Region 1 countries that insist on a change in regulations, **BNE urges the Council to oppose co-primary allocation and support "No Change" in the allocation of the UHF Band at WRC-23**. This is by far the best option to avoid serious impacts on the European audiovisual industry and the significant social and cultural benefits it delivers for citizens. No UHF spectrum means no terrestrial TV, the most energy-efficient platform, currently serving 80 million EU households and sharing many infrastructures with radio; no live events; much less content creation and associated jobs.

About BNE

Broadcast Networks Europe ([BNE](#)) represents Europe's terrestrial network operators in Europe and internationally. Terrestrial broadcast network operators are responsible for managing, operating and maintaining the infrastructure that brings TV, radio and other wireless and over-the-air services to homes, cars, and other users. As an organisation, BNE support an efficient and fair regulatory environment that give European citizens universal access to the TV and radio they watch and enjoy. BNE's 19 members are operating in 20 European countries: Austria, Belgium, Croatia, Czech Republic, Estonia, Finland, France, Germany, Greece, Ireland, Italy, Norway, Poland, Romania, Serbia, Slovakia, Spain, Switzerland, UK and Sweden.