

Response to the European Commission Call for evidence for an impact assessment on the Digital Networks Act (DNA)

BNE¹ welcomes the European Commission initiative and appreciates the opportunity to contribute to this Call for evidence.

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Broadcast Networks Europe (BNE) welcomes the European Commission's initiative to establish a forward-looking regulatory framework through the Digital Networks Act (DNA). BNE supports the overarching objectives of strengthening the Single Market, stimulating investment in advanced digital infrastructures, and enhancing Europe's resilience and technological sovereignty.

BNE is representing terrestrial broadcast network operators across Europe who are interacting daily with public authorities, content providers and citizens. BNE knows from that experience of our members that **terrestrial broadcasting networks form an integral part of Europe's digital infrastructure ecosystem**. They play a unique role in ensuring universal access to information, supporting media pluralism, fostering cultural diversity, and maintaining communications resilience in times of crisis.

In this context, BNE believes that the DNA presents a strategic opportunity to embed these public-interest objectives more firmly within the future regulatory framework.

- **Spectrum Governance: Ensuring Democratic Legitimacy and Subsidiarity**

BNE supports the Commission's objective of improving efficiency and coordination in spectrum management across the Union. However, the proposed shift towards a more centralised decision-making framework requires careful calibration to preserve institutional balance and democratic legitimacy.

Spectrum policy in the European Union has always gone beyond economic and technical considerations. It also serves broader public-interest objectives, including cultural diversity, media pluralism, and societal resilience.

In this context, BNE considers it essential that both the European Parliament and the European Council continue to play a central role in shaping strategic spectrum orientations. Their involvement is key to ensuring democratic accountability, transparency, and institutional balance in EU decision-making.

A future-proof spectrum governance framework should therefore:

- Ensure that strategic orientations reflect the full range of EU policy objectives
- Preserve strong democratic oversight, including the active role of the European Parliament and the Council in defining long-term priorities
- Respect the principle of subsidiarity, recognising the essential role of national competent authorities

¹ BNE represents Europe's terrestrial network operators in Europe and internationally. Terrestrial broadcast operators are responsible for managing and maintaining infrastructure, TV network design, multiplexing, distribution, transmission and carriage deliver so that TV, radio and other over-the-air services can reach their audiences.

BNE's 19 members are operating in 19 European countries: Austria, Belgium, Croatia, Czech Republic, Estonia, Finland, France, Germany, Greece, Ireland, Italy, the Netherlands, Poland, Romania, Serbia, Slovakia, Spain, UK and Sweden.

The current proposal only partially complies with the principles of subsidiarity and proportionality. Spectrum governance—particularly for the 470–694 MHz UHF band—should remain under Member States’ decision-making prerogatives. This includes decisions on frequency assignments, licence duration, and conditions of use, without granting the Commission veto powers.

This band remains strategic for terrestrial digital broadcasting, a critical national infrastructure that supports media pluralism, communications resilience, and universal access to audiovisual content. Any potential reallocation must therefore be preceded by thorough assessments of the associated economic and social impacts.

In the context of the World Radiocommunication Conference (WRC), where no common EU position has been agreed, Member States should retain the flexibility to advocate for and defend their own positions.

The Regulation should also introduce a clear definition of Content Delivery Networks (CDNs) and exclude the introduction of network fees or dispute resolution and conciliation mechanisms that could impose direct or indirect economic burdens on audiovisual media service providers

Past experience shows that the co-decision process for strategic spectrum allocation has neither caused delays nor reduced effectiveness. On the contrary, the EU remains the only major geopolitical bloc that has successfully deployed both state-of-the-art wireless broadband and a highly effective terrestrial broadcasting platform in a timely and coordinated manner aligned with citizens’ needs.

Maintaining this balance is essential to ensure that spectrum policy remains aligned with citizens’ interests, responsive to national specificities, and coherent at the European level.

- **Resilience and Societal Value: The Role of Terrestrial Broadcasting**

BNE strongly supports the emphasis of the DNA on resilience and the continuity of critical communications. In this regard, terrestrial broadcasting networks represent a proven and indispensable pillar of Europe’s resilience architecture.

These networks provide robust, scalable and energy-efficient distribution of information, whose extreme reliability is appreciated and taken for granted in daily usages, while becoming a safe anchor point in situations where other infrastructures may be congested or unavailable. Their ability to reach large populations simultaneously without reliance on individual connectivity constitutes a strategic asset for public warning and crisis communication systems.

BNE considers that the DNA should explicitly acknowledge these characteristics and ensure that terrestrial broadcasting continues to be treated as a strategic component of Europe’s communications ecosystem.

- **5G Broadcast: Capability for Resilience and Sovereignty**

BNE considers that the evolution of broadcasting technologies, including 5G Broadcast (5GBC), represents a significant opportunity to strengthen Europe’s digital resilience and strategic autonomy.

Invented in Europe, standardized worldwide and drawing interest on all continents, 5G Broadcast builds on the core strengths of traditional broadcasting—namely scalability, reliability and simultaneous mass reach—while enabling integration with the broader 5G ecosystem. As such, it should be understood not as a substitute for existing infrastructures, but as a complementary capability that enhances the overall performance and robustness of Europe’s communications framework.

In particular, 5G Broadcast can:

- Support the simultaneous delivery of audiovisual content and public warning messages to large populations
- Contribute to network resilience in situations of congestion or partial outage of mobile networks
- Enable innovative service models combining broadcast efficiency with next-generation device ecosystems

BNE therefore considers that the DNA should:

- Acknowledge, at a strategic level, the potential contribution of broadcast-capable technologies to resilience and public-interest services
- Ensure that the regulatory framework remains open to their deployment and development
- Avoid prescriptive or technology-specific obligations, in full respect of the principle of technological neutrality, but also recognize and leverage European strengths and the size of the single market: wide adoption of 5G Broadcast in mobile devices would be beneficial for public warning and universal service.

Recognising 5G Broadcast within the DNA would send an important policy signal, reinforcing Europe's capacity to leverage its existing infrastructure assets while fostering innovation and future-proofing its communications ecosystem.

- **Radio in the EU: Universal Access and Media Pluralism in a Platform-Driven Environment**

BNE welcomes the ambition to enhance connectivity for all European citizens. However, connectivity alone does not guarantee effective access to content of public interest.

Rapid developments in digital interfaces, platform ecosystems and connected devices — including in-vehicle systems — are reshaping how citizens access audiovisual and radio services. These trends risk creating new forms of gatekeeping, potentially limiting the visibility and accessibility of free-to-air, trusted media services.

BNE considers that the DNA should safeguard the availability of analogue and digital terrestrial broadcast radio in vehicles. Radio remains essential for direct, reliable access to trusted information, especially for emergency communication and public warning. This access should be ensured across all vehicle categories and be effective and user-friendly, not merely technically available. Looking ahead, the DNA should also remain open to the innovative broadcast technology 5G Broadcast and its potential role in future self-driving and connected vehicles, including by enabling the resilient, scalable and simultaneous delivery of public warning messages, trusted media services and safety-relevant information.

BNE therefore considers it essential that the DNA framework safeguards:

- Citizens' ability to access free-to-air audiovisual and radio services in an effective and non-discriminatory manner
- The continued availability of terrestrial radio and audiovisual services across relevant devices including all vehicles
- Conditions that preserve media pluralism and user choice

Ensuring meaningful access — beyond mere technical availability — is critical to uphold democratic values and fulfil public service, particularly in times when society unity is most challenged and when trusted information is most needed.

- **Conclusion**

The Digital Networks Act represents a decisive step in shaping the future of Europe's digital landscape. Its success will depend on its ability to reconcile economic efficiency with societal resilience and democratic values.

BNE stands ready to contribute constructively to this process. The association is confident that, with appropriate adjustments, the DNA can provide a balanced and future-proof framework that:

- Strengthens Europe's digital sovereignty, including the need for **European Parliament and the European Council continuing to play a key role in shaping strategic spectrum orientations**, as an essential guarantor of democratic accountability, transparency and institutional balance within the Union's decision-making process.
- Enhances the resilience of its communications systems, including the **recognition of the role played by terrestrial broadcasting networks as proven and indispensable pillar of Europe's resilience architecture**.
- Safeguards citizens' access to pluralistic and reliable information, including **safeguarding the availability of analogue and digital terrestrial broadcast radio in vehicles**.

Such an outcome would fully reflect the Union's broader policy objectives and reinforce the foundations of Europe's democratic and digital future.