
Broadcast Networks Europe (BNE) proposed amendments for the Digital Networks Act (DNA)

BNE¹ welcomes the opportunity to provide comments on the DNA. Proposed amendments are relative to the proposal by the Commission 2026/0013 (COD).

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1. General Introduction

Broadcast Networks Europe (BNE) welcomes the European Commission's initiative to modernise and harmonise the regulatory framework for digital networks through the Digital Networks Act (DNA). BNE shares the objectives of strengthening the Single Market, fostering investment in advanced and resilient infrastructures, ensuring technological neutrality, and supporting Europe's digital sovereignty and democratic values.

As the association representing terrestrial broadcast network operators across Europe, BNE considers that terrestrial broadcasting networks are a core component of Europe's digital infrastructure. They play a unique and irreplaceable role in guaranteeing universal access to information, cultural diversity, media pluralism, and the resilience of communications during crises, emergencies and large-scale disruptions. These networks already constitute critical infrastructure for society and will continue to do so in the future, both through traditional broadcasting services and innovative technologies such as 5G Broadcast.

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, Sweden and UK.

The DNA proposal introduces a profound structural reform of spectrum governance, network resilience frameworks and end-user access to communications services. While these reforms aim at efficiency and harmonisation, they also entail significant institutional and societal implications. Spectrum being a public and sovereign resource, EU spectrum strategy, and the allocation decisions, must balance technical and economic considerations with cultural, social and public interest objectives. The European Parliament and the Council are key to finding the right balance.

Against this background, BNE's proposed amendments pursue three overarching goals:

- **A transparent, balanced and democratically accountable governance of radio spectrum**, ensuring that strategic spectrum decisions continue to recognise broadcasting and audiovisual services as services of general interest and remain subject to appropriate Council and Parliamentary oversight.
 - Article 17 Union Radio Spectrum strategy and roadmaps
- **The recognition of terrestrial broadcasting networks, including 5G Broadcast, as an essential pillar of Europe's resilience and public-warning ecosystem**, complementing mobile and IP-based networks while preserving technological neutrality.
 - Article 107 Transmission of public warnings
 - Article 112 Interoperability of car radio and consumer radio receivers and consumer digital television equipment and Annex V
 - Article 17 Union Radio Spectrum strategy and roadmaps
- **The safeguarding of citizens' universal access to free-to-air audiovisual and radio services**, including in new vehicles, at a time when increasing platformisation and interface control risk limiting pluralistic access to trusted public-interest content.
 - Annex V on interoperability of radio receivers for vehicles and consumer digital television referred to in article 112

The following amendments will ensure that the DNA delivers a future-proof regulatory framework that integrates connectivity, resilience, democratic values and media pluralism in a coherent manner. In doing so, they aim to preserve Europe's ability to reach all citizens reliably, equitably and independently, especially in times when access to verified information is most critical.

2- Amendments on Spectrum: ENSURING DEMOCRATIC LEGITIMACY AND SUBSIDIARITY IN THE GOVERNANCE, UPHOLDING THE ROLE OF TERRESTRIAL BROADCASTING FOR RESILIENCE AND SOCIETAL VALUE

Background

- The DNA repeals the Radio Spectrum Policy Programme (RSPP) without preserving its explicit recognition of terrestrial broadcasting as both a **strategic and innovative use of radio spectrum** and a **service closely linked to general-interest objectives**, including media pluralism, cultural diversity and democratic resilience. Under the RSPP—particularly through its innovation provisions—this recognition was structurally embedded and provided the legal and political foundation for subsequent policy decisions, most notably the UHF Decision, which ensured that cultural, social and democratic considerations were duly taken into account.
- At the same time, the DNA introduces a major structural shift in spectrum governance by centralising strategic decision-making at Union level. Strategic orientations would largely be determined by the European Commission, supported by the RSPB and comitology procedures, while the European Parliament would no longer play a direct role in defining long-term spectrum policy priorities. This represents a significant departure from the previous framework, where spectrum strategy was adopted through the ordinary legislative procedure, ensuring democratic legitimacy and institutional balance.
- This centralisation also raises concerns in light of the **principle of subsidiarity**, as enshrined in Article 5 of the Treaty on European Union, which requires decisions to be taken as closely as possible to citizens and recognises the value of national and local expertise in areas that do not fall under exclusive Union competence. Spectrum management—particularly for terrestrial broadcasting, PMSE and other culturally and socially sensitive uses—has historically relied on the technical competence and contextual knowledge of **national spectrum agencies**, operating within a European coordination framework.
- In the absence of explicit safeguards, there is a risk that terrestrial broadcasting becomes strategically invisible within the DNA, addressed only residually or by exception, and that national spectrum authorities are progressively marginalised, notwithstanding their essential role in ensuring effective, proportionate and context-aware spectrum management.

Objective

The proposed amendments therefore aim to ensure that the DNA delivers a **transparent, democratically accountable and subsidiary spectrum governance framework** that:

- recognises terrestrial broadcasting networks as an integral and innovative part of Europe’s digital infrastructure and as services of general interest;
- preserves the role of democratic bodies, in particular the European Parliament, in strategic spectrum decisions;
- respects the principle of subsidiarity and the role of national spectrum agencies within a coherent Union framework.

Amendments proposal:

Where	Rationale	Proposed text	Advantages
New Recital (XXa) (Recognition of terrestrial broadcasting – continuity with RSPP)	The repeal of the RSPP removes the explicit recognition of terrestrial broadcasting as an innovative, public-interest use of spectrum. A recital is needed to restore this policy logic without mandating specific outcomes.	<i>“(XXa) In promoting innovation and the efficient use of radio spectrum, Union spectrum policy should support a wide range of current and future technologies and services, in line with the principle of technological neutrality. Innovation in spectrum use should not be limited to a single sector or network architecture, but should also encompass terrestrial broadcasting and audiovisual media services, including the evolution of such services enabled by digital and convergent technologies. Terrestrial</i>	• Mirrors Article 7 RSPP logic; avoids “legacy” framing; anchors Article 17 interpretation

		<i>broadcasting networks contribute to media pluralism, cultural diversity, universal access to trusted information and the resilience of communications, including in situations of crisis, emergencies and large-scale disruptions. Spectrum policy under this Regulation should therefore balance economic, technical, social and democratic objectives in the public interest."</i>	
Article 17(1a) – insertion (Democratic oversight)	Strategic spectrum decisions risk being removed from democratic scrutiny. Restoring Parliament's role is essential for legitimacy and balance.	<i>"1a. The Union radio spectrum strategy shall be adopted by means of a delegated act. Its strategic orientations, including long-term priorities and the treatment of bands used for terrestrial broadcasting, innovative audiovisual media services and PMSE, shall constitute essential elements of this Regulation and be subject to scrutiny by the European Parliament and the Council."</i>	• Preserves checks and balances without blocking implementation
Article 17(3a) – insertion (Public-interest broadcasting)	Broadcasting is not explicitly recognised alongside other essential services.	<i>"3a. When establishing the Union radio spectrum strategy and adopting Union radio spectrum roadmaps, the Commission shall take into account the role of public audiovisual media services and free-to-air terrestrial broadcasting in sustaining media pluralism, providing reliable information and strengthening democratic and societal resilience, including during crises and large-scale disruptions."</i>	• Consistent with Recital 90 (spectrum as a public good)
New Article 17(7) – insertion (Subsidiarity & national spectrum agencies)	The DNA risks marginalising national spectrum authorities despite their expertise and proximity to citizens.	<i>"7. In implementing the Union radio spectrum strategy and related measures, the Commission shall respect the principle of subsidiarity and the role of national competent authorities. National spectrum agencies shall remain responsible for spectrum planning, assignment and enforcement at national level, in accordance with Union law, and shall play a central role in adapting Union objectives to national circumstances."</i>	• Ensures effectiveness, proportionality and political acceptability

3- Amendments on 5G BROADCAST: REACHING CITIZENS ON A RESILIENT AND SOVEREIGN BASIS

Background:

- 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

Proposal- 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.

Amendments proposal:

Where	Rationale	Proposed text	Advantages
New paragraph Art 107 (4)	5G Broadcast is the only technology allowing to provide public warning to smartphones with the resilience and coverage of broadcast networks. This aligns with the Commission's core DNA objectives of availability of critical communication services.	4)) <i>In order to reinforce the resilience and availability of public warning systems, Member States shall ensure that national public warning mechanisms are technically able to make use of 5G Broadcast where such networks are deployed.</i> <i>The use of 5G Broadcast shall complement existing public warning channels.</i>	5G Broadcast shall be recognised as a complementary distribution channel for public warnings under this Article, particularly in situations of mobile network congestion or partial service disruption. DNA proposal is designing policy for the networks of the future. As such, 5GBC is a future proof evolution of traditional broadcasting. Including 5G Broadcast as a voluntary, complementary, where-deployed option ensures that Member States can benefit from existing broadcast infrastructure without mandating a single technology or imposing obligations on Member States lacking such networks. Where 5G Broadcast coverage exists, Member States shall take the necessary measures to ensure that public warnings can be transmitted simultaneously to all compatible devices within the affected geographical areas without reliance on

			individual network registration or SIM-based connectivity.
New paragraph Art. 112 (4) or Annex V point 4	Ensuring compatibility with 5GBC is essential for continuity of audiovisual broadcasting, accessibility of public interest content, reception of emergency warnings over broadcast networks.	<i>(4) In order to ensure the interoperability, resilience and accessibility to broadcast public-interest services and public warning messages, mobile devices placed on the Union market that incorporate 4G, 5G or more advanced mobile communication capabilities shall support the reception of 5G Broadcast services operating in harmonised UHF broadcasting bands, where deployed.</i>	enhancing consumer interoperability, ensuring continuity of broadcast reception, supporting public warning accessibility. Emphasises technology neutrality
Article 17 (3) insertion	For the first time, European content and public warning can reach citizens, with a regulated and resilient channel directly into their smartphones, without gatekeepers.	...[Each Union radio spectrum roadmap shall identify radio spectrum needs...] <i>When preparing Union radio spectrum roadmaps, the Commission shall assess, where relevant, the potential contribution of 5G broadcast-capable technologies to the efficient use of radio spectrum and the resilient distribution of public interest service. [The implementing acts...]</i>	The window of opportunity to turn this European innovation into a concrete European success story in the digital world is short: timely consideration in the frame of the current EU work on the 470-694 MHz band is necessary .
Recital 29a	The safest place to recognise 5GBC conceptually without obliging anything. Recitals can express that 5GBC increases resilience, supports emergency alerts, complements mobile networks during congestion.	<i>Broadcast distribution technologies, including 5G Broadcast, can enhance the resilience and availability of public interest services and public warning systems by enabling simultaneous communication to large numbers of users without relying on individual network connectivity. Where deployed, such technologies may complement terrestrial mobile networks and strengthen overall network resilience during crises.</i>	This recital frames the entire discussion and motivates Parliament/Council support of Articles 107 & 112.

4- Amendments on radio: PROPOSAL FOR THE INCLUSION OF RADIO IN NEW VEHICLES SOLD IN THE EUROPEAN UNION (see annex 1 and 2)

Background:

- BNE welcomes the ambition to enhance connectivity for all European citizens. However, connectivity alone does not guarantee effective access to content of public interest.
- Directive 2018/1972 of the European Parliament and of the Council of 11 December 2018 establishing the European Electronic Communications Code, on its ANNEX XI: INTEROPERABILITY OF CAR RADIO RECEIVERS AND CONSUMER DIGITAL TELEVISION EQUIPMENT REFERRED TO IN ARTICLE 113 set:
 - **Any car radio receiver integrated in a new vehicle of category M** which is made available on the market for sale or rent in the Union **from 21 December 2020 shall comprise a receiver capable of receiving and reproducing at least radio services provided via digital terrestrial radio broadcasting.** Receivers which are in accordance with harmonised standards the references of which have been published in the Official Journal of the European Union or with parts thereof shall be considered to comply with that requirement covered by those standards or parts thereof.
- However, in new vehicles, access to free to air terrestrial radio (FM and DAB/DAB+) has become increasingly difficult as dashboard interfaces are dominated by large screens, while growing vehicle connectivity promotes smartphone mirroring solutions such as Android Auto and Apple CarPlay and encourages the consumption of internet based audiovisual content through mobile apps. At the same time, some manufacturers have already begun selling cars without any built in radio receiver—and others plan to follow—thereby circumventing existing obligations to include terrestrial digital radio and instead relying on proprietary or third party internet platforms that unilaterally control which radio stations are available. These actors also secure prominent placement for their audiovisual offerings on vehicle home screens, distributing linear and on demand audio as well as video content while retaining full editorial control. As this trend accelerates, vehicle manufacturers are increasingly seeking to control everything displayed on in car screens, particularly the primary home interface, for all functions unrelated to driving.
- To ensure effective citizen access to radio content broadcast via terrestrial analogue and digital radio networks (FM and DAB+) it is necessary to target not only in Category M vehicles (cars, buses and coaches), but also in at least Categories N (trucks and vans), L7e (heavy quadricycles) and T (tractors). This is essential to preserve access to a broad, free-to-air content offering highly valued by citizens, including the provision of complete, truthful and verified real-time information—especially during critical situations.

Proposal:

- 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.
- 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.

Amendments proposal:

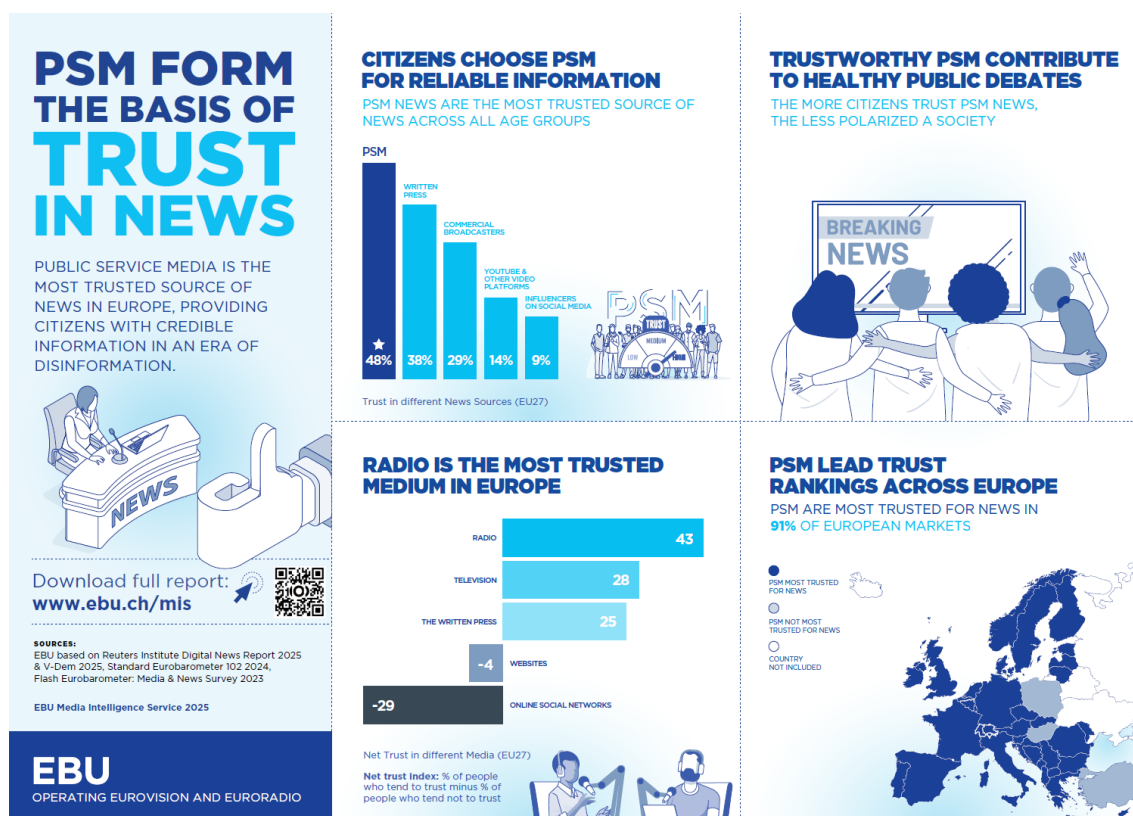
Where	Rationale	Proposed text	Advantages
ANNEX V INTEROPERABILITY OF RADIO RECEIVERS FOR VEHICLES AND CONSUMER DIGITAL	To ensure effective citizen access to radio content broadcast via terrestrial analogue and digital radio networks (FM and DAB+) not only in Category M vehicles (cars, buses and coaches),	3. Interoperability for radio receivers for vehicles <i>Any new vehicle of at least categories M, N, L7e and T which is made available on the market for sale or rent in the Union shall comprise a receiver capable of receiving and reproducing at</i>	. This is essential to preserve access to a broad, free-to-air content

TELEVISION EQUIPMENT REFERRED TO IN ARTICLE 112	but also in at least Categories N (trucks and vans), L7e (heavy quadricycles) and T (tractors).	<i>least radio services provided via analogue and digital terrestrial radio broadcasting. Receivers which are in accordance with harmonised standards the references of which have been published in the Official Journal of the European Union or with parts thereof shall be considered to comply with that requirement covered by those standards or parts thereof.</i>	offering highly valued by citizens, including the provision of complete, truthful and verified real-time information—especially during critical situations.
ANNEX V, point 3 – add a second subparagraph	A receiver obligation alone is no longer sufficient if terrestrial radio can in practice be hidden, downgraded or replaced by IP-based services through the design of in-vehicle interfaces.	<i>Where a vehicle is equipped with a radio receiver within the meaning of this point, the corresponding user interface shall ensure direct, clear and user-friendly access to radio services provided via analogue and digital terrestrial broadcasting. Such access shall not be made conditional on prior user registration, the installation of an application, the use of mobile data connectivity or connection to a third-party platform. Manufacturers shall ensure that terrestrial radio services are not subject to unjustified discriminatory treatment in terms of access conditions, default presentation, menu depth or ease of activation in comparison with equivalent audio services provided over the internet.</i>	Prevents circumvention of the receiver requirement through interface design; preserves effective access to terrestrial radio. Does not prohibit connected services, but requires fair treatment of broadcast services.

ANNEX 1: THE IMPORTANCE OF RADIO AND ITS CONSUMPTION

Radio remains the most widely used medium worldwide and is part of the daily lives of European citizens. It is also the most trusted medium—well above television and, of course, internet content and social networks. Besides, Public Media Service

- are the preferred choice of European citizens for reliable information;
- contribute to fight against disinformation and polarization; and
- lead Europe's trust rankings in news



Source: Trust in Media 2025. EBU.²

Across Europe, analogue and digital terrestrial radio broadcasting (FM and DAB+) remains by far the primary means of radio consumption, well above internet radio. Radio listening in vehicles is as significant as radio listening at home. In fact, if radio were to disappear from vehicles, radio as we know it would ultimately disappear.

In Spain, radio reaches 55% of the population (almost flat since 2020). Regarding modes of consumption, 43.8% listen via FM, compared to 8.1% who listen via internet streaming, according to the *AIMC General Media Framework in Spain 2026*³. This means that there are 5.4 FM listeners for every internet radio listener.

² <https://www.ebu.ch/publications/trust-in-media>

³ https://www.aimc.es/a1mc-c0nt3nt/uploads/2026/02/Marco_General_Medios_2026.pdf

EVOLUCIÓN DE LA AUDIENCIA DE RADIO SEGÚN TIPO DE ONDA - 2002-2025

Penetración (%)

	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025
TOTAL RADIO	54,7	57,9	56,8	55,5	56,1	54,7	53,1	55,3	56,9	58,5	61,9	61,5	61,0	60,1	60,0	59,3	57,5	56,9	55,5	54,6	54,4	54,3	54,2	55,0
OM	8,8	7,7	7,2	6,1	5,0	4,5	4,1	3,9	3,5	3,4	3,4	2,9	2,9	2,3	2,1	1,8	1,8	1,7	1,6	1,4	1,4	1,2	1,0	0,9
FM	47,2	51,3	50,6	50,1	51,4	50,3	49,0	51,0	52,4	53,8	56,9	56,5	55,9	55,4	55,2	54,4	52,6	51,7	49,6	46,9	45,4	44,9	43,7	43,8
INTERNET									2,1	2,6	3,3	3,2	3,7	3,7	3,9	4,5	4,4	4,8	5,7	7,8	10,2	11,3	12,8	14,0
Streaming																			3,5	3,7	4,4	5,9	7,0	8,1
Podcast																			1,0	1,2	1,5	2,3	3,7	5,2
TDT									0,6	0,8	0,9	0,8	0,9	1,0	1,1	1,2	1,1	1,2	1,2	1,7	1,3	1,4	1,2	1,3

Source: General Media Framework in Spain 2026. AIMC.

Furthermore, once the Spanish **Draft Royal Decree adopting measures to promote DAB+ technology in the terrestrial digital sound broadcasting service**⁴ is approved and enters into force, the deployment of terrestrial digital radio broadcasting in Spain will begin, and with it the possibility of increasing the range of free-to-air radio content offered to citizens.

Regarding the place where radio is listened to in Spain, the **AIMC Radio Q Panel 2025**⁵ is the most recent study available at the time of closing this document. It indicates that the **car** is the main listening location (**61%**), followed by the **home** (**36%**) and the **workplace** (**10%**).

⁴ <https://avance.digital.gob.es/es-es/participacion/paginas/DetalleParticipacionPublica.aspx?k=475>

⁵ <https://www.aimc.es/blog/nueva-edicion-del-aimc-q-panel-radio-2025-11a-edicion-del-estudio-radio/>

ANNEX 2: THE IMPORTANCE OF TERRESTRIAL RADIO BROADCASTING NETWORKS IN PROVIDING RADIO SERVICES

Public radio and television broadcast through terrestrial broadcasting networks constitute a fundamental pillar of democracy and European values. They ensure free, universal and equitable access to audiovisual content, which is essential to guarantee press freedom, public service, media pluralism, media independence and the fight against disinformation. Besides, they also help to strengthen social cohesion, promote cultural diversity and preserve the democratic values that characterize Europe, establishing themselves as a key instrument serving the general interest.

On 28 April 2025, the day when the massive blackout affected the Iberian Peninsula, radio became the only means of access to information and Radio Nacional de España was by far the most listened-to station in Spain, according to the flash survey published by the Centro de Investigaciones Sociológicas⁶. Even the United Nations Office for Disaster Risk Reduction highlighted the role played by RNE during the blackout⁷. Most access to information took place in vehicles via FM radio, particularly in the traffic jams.

That day demonstrated that, in the absence of electrical power supply, radio was prepared to produce its programming and terrestrial broadcasting networks were ready to transmit it, thanks to the presence of generators that provide electricity when uninterruptible power systems (UPS) fall. At the same time, a large part of society realized the fragility of internet and discovered the importance of having battery-powered portable radio receivers.

As a result of the blackout, the fact that terrestrial broadcasting networks constitute strategic infrastructure for the sovereignty and resilience of communications began to gain importance in Europe. Their reliability and security have been proven in unforeseen situations, catastrophes, natural disasters, or floods, playing an essential role in ensuring the continuity of information. Aware of this critical function, the European Commission emphasized the importance of including battery-powered portable radio receivers in emergency kits, thereby reinforcing the idea of maintaining and protecting these networks as an indispensable element in crisis situations.

⁶ <https://www.rtve.es/noticias/20250503/60-espanoles-cree-informacion-dio-gobierno-durante-apagon-fue-insuficiente-segun-cis/16564286.shtml>

⁷ <https://www.rtve.es/rtve/20250711/oficina-naciones-unidas-para-reduccion-del-riesgo-desastres-destaca-papel-rne-durante-apagon/16660636.shtml>