

Position paper

EU Digital Networks Act

Excellent connectivity and digital infrastructure in Europe are key. Public service media (PSM) drive the demand for network connectivity and play a crucial role in building digital sovereignty in Europe. PSM invest 22 billion EUR in media content every year and develop new services, formats, and technologies. They deliver reliable news and information to all people and foster democratic discourse across Europe.

The Digital Networks Act (DNA) must reflect the value media brings to society. Different means of distribution directly shape how people access and use media offerings. While electronic communications regulation should remain distinct from content regulation, it clearly has an impact on media pluralism, cultural diversity and consumer protection. EU decision makers must foremost safeguard people's ability to access and easily find and discover a diverse and pluralistic media offer, when and where they want, on networks and platforms that are resilient, efficient, and trusted. For live media consumption, terrestrial broadcast (such as DVB, DAB+ or FM) is a case in point and must be protected. On-demand media will continue to be delivered by Internet broadband (fibre, Wi-Fi, 5G), making it essential to maintain the open Internet and ensure easy access to media online.

Below, we highlight the areas where the DNA proposal should be improved:

1. Ensuring the availability of broadcast radio in vehicles

Protecting the presence of analogue and digital terrestrial broadcast radio in vehicles is essential to ensure that listeners can easily access radio content. [Radio plays a critical role in times of crisis and emergency](#), serving as a vital source of reliable information when other communication channels are disrupted. Terrestrial broadcasting is a secure, reliable, widely used, anonymous and free-to-air platform that provides direct access to radio without dependence on intermediaries, thereby reducing the risk that access to essential information is blocked or diverted. [Radio remains the most trusted type of media](#) and plays a key role in supporting an informed democratic society. It is most frequently listened to in vehicles, making in-car availability essential.

The DNA should ensure that analogue and digital terrestrial broadcast radio is available across vehicle categories, including passenger cars (M), commercial vehicles (N) and “mini-cars” (L6 and L7).

2. Net neutrality must remain a cornerstone of the democratic online landscape

The principles contained in the Open Internet Regulation safeguard access to diverse and plural content. There is no evidence of market failure that would justify modifying the current net neutrality framework set out in this text. [In its assessment of the IP interconnection ecosystem](#), BEREC has confirmed that the IP interconnection ecosystem continues to be driven by effective market dynamics and cooperative behaviour among market players. The framework is subject to robust supervision by national regulatory authorities, supported by BEREC's guidance and expertise. However, to maintain this well-functioning system, BEREC must remain independent, reflecting regulators' national status at EU level.

If the net neutrality principle is moved from the Open Internet Regulation to the Digital Networks Act, it should be maintained in its entirety, including the relevant Recitals. There is no need to extend the competences of the European Commission in this area beyond the existing provisions, and BEREC's independent expertise should continue to play a central role in the interpretation and application of these rules.

3. Preventing the emergence of network access fees through conciliation mechanisms

Although the DNA does not introduce a network access fee, the proposed conciliation mechanism raises concerns. As a regulatory dispute resolution tool in cases of disagreement over traffic delivery conditions, it risks creating pressure toward financial contributions from content providers to network operators. This risk is particularly relevant in situations where bargaining power between network operators and European content providers is asymmetric. Any additional financial contribution imposed on European content providers for the online delivery of content to audiences, beyond existing contractual arrangements, would directly or indirectly reduce the resources available for content production.

The EBU strongly opposes any additional fee imposed on European content providers for the online delivery of content to audiences, on top of existing contractual payments, whether such fee is imposed directly or indirectly, including through stringent conditions governing negotiations with Internet Service Providers.

4. Safeguarding broadcasters' specific access to spectrum is essential for media pluralism and democracy

When it comes to spectrum-related provisions, the EBU recalls that broadcasting services share frequencies with other services like wireless production audio systems (PMSE), which are indispensable for cultural, sporting, artistic, political, religious, and educational activities. The long-standing successful sharing of the UHF band by Digital Terrestrial Television and PMSE is a prime example of efficient and resilient spectrum use.

The PSM remit supports core EU values, including freedom of expression and information, media pluralism as well as cultural and linguistic diversity. Moreover, this remit responds to national and regional needs that cannot be addressed at EU level. This is recognised in the DNA, which allocates cultural policy-related competences to Member States, guaranteeing that PSM can provide content to educate, entertain and inform all of the people in their territory.

The DNA must maintain the full recognition that, on the one hand, spectrum management must take into account general interest objectives and that, on the other, broadcasting service needs, such as spectrum attribution procedures, are to be devised at national level in line with public policy goals.

5. Securing access to general interest services via AV distribution gateways: must-carry principle and provisions on access to APIs, and EPGs

The DNA should uphold rules and mechanisms that ensure that services of general interest are effectively available and accessible to EU citizens. This includes preserving the must-carry principle, as well as access to Electronic Programme Guides (EPGs), and open Application Programming Interfaces (APIs). As technologies evolve, it is important that these elements remain effective in increasingly connected environments.

Connectivity is a means to achieve cultural objectives, including PSM mandates. The DNA must maintain these essential provisions for the cultural sector.