

## AER position paper on the Digital Networks Act

### Introduction

The [Association of European Radios \(AER\)](#) supports policies that promote investment in robust and future-proof digital infrastructure, enabling European citizens to access high-quality radio content and information services across platforms. The Digital Networks Act (DNA) has the potential to contribute to this objective by strengthening connectivity, fostering innovation, and enhancing network resilience across the European Union.

Radio is a communication service but also a cultural medium that constitutes a core pillar of media pluralism, social cohesion, linguistic diversity, and provides trusted information, including in times of crisis and emergencies. We welcome that the proposal acknowledges certain elements relevant to the radio sector, including interoperability of radio equipment and the role of spectrum. While we welcome the European Commission's recognition of radio as an integral part of Europe's communications landscape and its contribution to the internal market, we believe that the broader cultural and societal role of radio, long acknowledged under the European Electronic Communication Code (EECC), deserves stronger emphasis in the DNA.

In particular, **the DNA must safeguard universal access to free-to-air licensed radio broadcasters' services, and support radio's critical contribution to the resilience of communication systems, media pluralism and fair competition.** As currently drafted, elements of the proposal risk weakening these principles in the specific context of radio.

**Without clear and future-proof regulatory safeguards, there is a real risk that free-to-air broadcast radio will no longer be universally available in cars,** undermining its role as a trusted, resilient, and universally accessible medium.

**This is particularly concerning given that vehicles remain one of the main environments for radio listening (radio listening in vehicles accounts for around 30% of total listening in the majority of EU member states and is as high as 70% of total listening in Italy).** Two parallel developments are putting pressure on radio's position in cars. On the one hand, a growing number of new vehicles are being sold without radio receivers. On the other hand, car manufacturers operating at a global scale are increasingly prioritising partnerships with global digital platforms over direct and unfettered access to licensed radio broadcasting services. Taken together, these trends risk progressively marginalising radio's presence in vehicles and limiting its ability to reach listeners in one of the very places where radio is listened to the most.

### Summary of AER recommendations:

- Guarantee the presence of broadcast radio receivers (FM and DAB+) in all relevant new vehicles put on the EU market; This will deliver universal and unfettered access to radio to EU citizens whilst they are on the move;
- Protect long-term access to UHF spectrum for broadcasting;
- Preserve subsidiarity and avoid excessive EU-level centralisation with regards to spectrum;
- Reject direct or indirect network fees on media services.

## 1. RADIO IN CARS - NOT OPTIONAL! (Article 112 and related annex V, accompanying recitals 310-311-312)

We welcome the preservation of the existing interoperability requirement for digital radio in passenger cars under Article 112 of the DNA, which provides an important baseline. However, **AER believes that the DNA should ensure universal, resilient and future-proof access to radio for all European citizens/drivers.**

As vehicles become increasingly connected and software-driven, radio's continued presence and accessibility in the dashboard can no longer be taken for granted. The current EEC rules do not require cars to be sold with a radio receiver, and an increasing number of manufacturers are already placing radio-free vehicles on the market. As a result, the existing framework is no longer adequate to guarantee free, universally accessible and reliable access to radio in vehicles.

**Radio remains Europe's most trusted<sup>1</sup> medium, playing a vital role in public safety, media pluralism and democratic resilience.** In times of crisis, terrestrial broadcast radio provides trustworthy, reliable and free-to-air access to emergency warnings, real-time information and trusted news, including when mobile networks or power grids are unavailable<sup>2</sup>.

Its ability to reach large geographic areas without dependence on connectivity, subscriptions or digital intermediaries ensures that citizens across Europe - including in rural and underserved regions - remain informed, entertained and connected<sup>3</sup>.

As vehicles continue to be one of the main environments for radio listening, ensuring the continued availability and accessibility of radio in cars remains essential. Recent international consumer research commissioned by WorldDAB<sup>4</sup> confirms that radio remains an integral part of the in-car experience: **83% of car buyers listen to radio in the car**, while 62% consider radio a "must-have" feature when purchasing a new vehicle. The research also highlights radio's continued public value, with **83% of respondents considering radio important in emergencies** and 52% saying it would be their first source of information while driving.

AER therefore calls on EU policymakers to strengthen the DNA by:

- **Mandating broadcast radio receivers (analogue and digital terrestrial broadcast) in all relevant vehicle categories<sup>5</sup>,**
- **Ensuring radio services are easily accessible and readily available in in-car interfaces, for example via a hard/soft dedicated radio button.**

These measures are also essential to safeguard universal access to trusted information, population preparedness and effective crisis communication across Europe.

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<sup>1</sup> [Standard Eurobarometer 102 - Autumn 2024](#); [European Media Industry Outlook 2025](#).

<sup>2</sup> The 2025 power outage in Spain and Portugal highlighted the crucial role of radio.

<sup>3</sup> The critical nature of this infrastructure is evident in other major markets such as the United States, where over 80 million people still rely on AM radio monthly for essential news and safety updates. The US reliance is so significant that policymakers have actively pursued legislation - such as the AM Radio for Every Vehicle Act of 2025 (S.315) - specifically to ensure continued access to broadcast radio in cars for public safety purposes.

<sup>4</sup> [Consumer research commissioned by WorldDAB and conducted by Fifty5Blue](#).

<sup>5</sup> Including vehicle categories M (passenger vehicles), N (commercial vehicles), L6 and L7 (micro-cars), and T (agricultural and forestry vehicles).

## 2. SPECTRUM - PRESERVING SUBSIDIARITY AND LONG-TERM SPECTRUM ACCESS (Articles 16 - 30)

- **Protecting broadcasting spectrum and its long-term access**

Broadcasting operates within a broader spectrum management framework and shares frequencies with other essential services, such as programme-making and special events (PMSE), which are indispensable for cultural, sport, political and educational activities. The long-standing and successful sharing of the 470–694 MHz (sub-700 MHz) band (UHF band) between broadcasting and PMSE demonstrates that efficient, resilient and balanced spectrum use can be achieved within the existing framework.

As AER has consistently underlined<sup>6</sup>, the UHF band is not merely a technical resource, but a cornerstone of Europe’s social, cultural and democratic fabric. It underpins the delivery of trusted, free-to-air content and supports media pluralism across the EU. **Ensuring secure, long-term access to spectrum for broadcasting remains essential.** In particular, **the UHF band should remain exclusively allocated to broadcasting and PMSE well beyond 2030.** Long-term certainty is indispensable to sustain investment in content, infrastructure and innovation. Commercial radio, together with television and PMSE, supports Europe’s creative economy, employment and media diversity. Any loss of broadcasting spectrum would significantly increase costs and could jeopardise the viability and reach of many radio services.

**Spectrum policy must also support future innovation.** Technologies such as 5G Broadcast offer significant potential for the future distribution of radio and emergency communications, but their deployment depends on continued long-term access to appropriate broadcasting spectrum, including the UHF band.

- **Preserving subsidiarity in spectrum management**

The current multi-level system of spectrum management at international, EU and Member State level has proven effective in ensuring that **spectrum policy reflects national, regional and local specificities**, which is particularly important for broadcasting and media policy. Existing international coordination mechanisms, notably within CEPT, provide open, transparent and inclusive processes that have consistently delivered balanced and effective outcomes.

Against this background, AER is concerned that Part IV of the DNA introduces a trend towards increased centralisation of spectrum management at EU level, particularly from the European Commission. Provisions relating to a Union spectrum strategy with no explicit role foreseen for the European Parliament, harmonised assignment procedures and the single market procedure risk limiting the role of Member States and national regulatory authorities. Such an approach raises concerns regarding respect for the subsidiarity principle and could undermine the ability of Member States to design spectrum policies aligned with cultural, democratic and public interest objectives. Preserving the current balance of competences between the EU and Member States in spectrum management remains fundamental. **Respect for subsidiarity and national cultural competences is essential to ensure that spectrum policies continue to reflect local, regional and national needs.**

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<sup>6</sup> [AER response to RSPG public consultation Draft RSPG Report “Assessment of future usage of the frequency band 470-694 MHz within the EU”](#)

### 3. VOLUNTARY CONCILIATION MECHANISM – NO NETWORK FEES (Article 192, supported by articles 191 and 193)

AER recognises the Commission’s objective to promote cooperation between market actors. However, the proposed voluntary conciliation mechanism under Article 192 raises significant concerns for the radio and wider media sector and risks reopening the debate on network fees through indirect means. AER is concerned that the mechanism could gradually evolve through:

- **A voluntary mechanism becoming *de facto* mandatory:** Although Article 192 currently presents conciliation as voluntary, there is a risk that it could create expectations or pressure for market actors to participate in structured negotiations with telecom operators.
- **Pressure towards payment agreements:** such negotiations could legitimise demands for financial contributions from media and content providers in exchange for traffic delivery or network access arrangements. Even if not formally labelled as “network fees”, these arrangements could create indirect payment obligations and establish precedents for infrastructure cost-sharing by media services.
- **A pathway towards future legislative network fees:** if the voluntary mechanism were later considered insufficient or ineffective, this could be used to justify mandatory network contribution schemes - effectively reintroducing the previously rejected<sup>7</sup> “fair share” model through the back door.

The scope of the mechanism remains broad and uncertain. The references to the wider digital “ecosystem” and to “closely related sectors” could encompass media and content providers, including radio broadcasters and audio services when they distribute content online through web radio, simulcasting, podcasts, catch-up audio, mobile applications, smart speakers or connected cars. This creates legal uncertainty and risks bringing journalistic and editorial content distribution into processes originally framed around electronic communications networks and high-bandwidth traffic models.

#### **Risks for media, consumers and the open internet.**

The introduction of such a mechanism is **neither necessary nor justified** and risks fixing what is not broken. While radio services are not the primary target of the network fee debate, the proposed conciliation mechanism could create a precedent whereby media and content providers are expected to contribute to network costs. This would divert resources away from content creation, journalism, innovation and investment, to the detriment of Europe’s cultural and creative sectors, media pluralism and content availability. Consumers would ultimately face higher costs, while telecom operators could gain even more influence over content distribution and market access.

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<sup>7</sup> The potential mechanism of direct payments by content providers to support the costs of network infrastructure deployment to European telecom network operators, was proposed by the European Commission when launched [“The future of the electronic communications sector and its infrastructure” exploratory public consultation](#). The so-called “fair share” model was clearly and forcefully rejected by a majority of those who responded, due to absence of a market failure that would justify the need for regulatory intervention. It was also rejected by [the Body of European Telecom Regulators \(BEREC\) when assessed the proposal, who “found no evidence that such mechanism is justified” and concluded that fees “could present various risks for the internet ecosystem.”](#)

The proposal also raises concerns regarding net neutrality and the open internet. Given the broad and uncertain scope of the mechanism, it is important to ensure that radio broadcasters and audio services are not drawn into regulatory processes that could result in direct or indirect financial obligations for content delivery. Radio services, which rely on low data usage and serve important public interest functions, should not become subject to obligations primarily designed around high-bandwidth traffic models. It is essential to ensure that radio services remain accessible without discrimination and that network operators do not acquire gatekeeper power over content distribution. **AER therefore opposes any mechanism that could directly or indirectly lead to network fees.**

## **Conclusion**

The Digital Networks Act represents a **critical opportunity to secure the future of radio in Europe's evolving connectivity and mobility landscape.**

It is essential that the regulatory framework ensures that radio remains **universally and freely accessible, resilient, and easy to find in vehicles, which is not currently the case.**

Broadcast radio continues to play a **unique public value role in European society**: it is free-to-air, widely trusted, energy-efficient, and capable of reaching entire populations, especially in times of crisis and emergencies when other networks may fail. Ensuring its continued availability in all vehicles is a matter of **societal resilience and democratic importance.**

Without targeted improvements, there is a real risk that radio's **accessibility, findability, and resilience will gradually erode**, to the detriment of public safety, media pluralism, and universal access to trusted information.

At the same time, the DNA must preserve the conditions that allow the radio sector to **invest, innovate and compete fairly** in a rapidly evolving digital landscape. This includes safeguarding access to spectrum, ensuring a level playing field with global platforms, and preventing regulatory developments that could weaken the principles of an open internet.

We look forward to engaging constructively in this process and to working closely with the co-legislators to ensure that the DNA delivers tangible benefits to the commercial radio sector and fully secures radio's future, especially in vehicles and digital environments.

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