

BEREC's position on Numbering provisions in the DNA

23 June 2026

Key messages

- BEREC acknowledges that numbering harmonisation and coordination among Member States have merit in certain respects.
- BEREC is particularly concerned by centralization measures introduced in the DNA that include EC powers to deliver: i) a Union Numbering Strategy, ii) a Union numbering Plan and; iii) the management of pan-European numbering resources. Those measures are not sufficiently defined and do not respond to a clear demand nor aim to solve any problem in relation to numbering resources.
- The EECC provides adequate harmonisation and coordination tools to meet current and future needs in an efficient and balanced manner without interfering in the current governance structures and procedures at the national, EU and international levels.
- The closed list of conditions attached to numbering is deemed too rigid and risks limiting the adoption of necessary measures to address current (e.g. fraud or emergency communications) and future challenges.

Commission proposal:

The Digital Networks Act¹ (DNA) (hereinafter: “the proposal”) is a proposal for a directly applicable regulation that, in the field of Numbering, aims to enhance harmonisation at Union level, building upon the principle of evolution, not revolution, as well as pursue regulatory simplification and predictability.

While maintaining the European Electronic Communications Code (EECC)’s provisions currently in force in relation to national numbering management, the proposal intends to introduce a new framework for pan-European numbering resources, and set rules governing these numbering resources by creating a Union-level strategy and a Union numbering plan, and also introducing and extending competencies for the EC and the ODN on ensuring cross-border management, availability and extraterritorial use across the EU.

BEREC’s assessment:

In contrast to the proclaimed evolution, not revolution principle, the proposal marks a significant structural shift in the regulatory treatment of numbering resources within the European Union.

The EECC envisages measures² aimed towards a harmonised approach in this field and facilitating the cross-border provision of services that include: i) the availability of a range of non-geographic numbers across the EU; ii) a database of extraterritorial numbering³; iii) the

¹ COM(2026) 16 final, Proposal for a Regulation of the European Parliament and of the Council on digital networks, amending Regulation (EU) 2015/2120, Directive 2002/58/EC and Decision No 676/2002/EC and repealing Regulation (EU) 2018/1971, Directive (EU) 2018/1972 and Decision No 243/2012/EU (Digital Networks Act)

² See Article 93 EECC

³ Numbering Database for extra territorial use, https://www.berec.europa.eu/en/tools/numbering-database-for-extra-territorial-use?language_content_entity=en

possibility for MS to develop common numbering plans; iv) EC Implementing Acts in case of unmet cross-border or pan-EU demand. The possibility of granting numbering resources to non-ECN/S providers is also envisaged.

Nonetheless, the EECC primarily addresses numbering as a national resource, subject to limited coordination at Union level, the re-characterisation of numbering as a “common Union resource”, combined with a fundamental shift in the governance under shared competence, shows the clear intent of moving away from the long-established national competence towards a centralised Union-level approach.

BEREC acknowledges that harmonisation may have merit in certain respects, such as how numbering plans are built on the general rules from Recommendations of the ITU-T, or current efforts by other international working groups like the CEPT/ECC WG NaN.

However, the DNA proposals on numbering seem incomplete as concerns the implied numbering-related concepts, including the notions of “union numbering plan” and “pan-European numbering resources”, and their relationship with national numbering resources, which are not sufficiently defined in the legal text.

In addition, the relevant background reasoning for these proposals remains unclear, particularly given that numbering management is not at all addressed in the EC’s impact assessment. As a result, a structured analysis of the demand, use cases or economic justification for the proposed changes appears to be missing.

Currently, the **demand for non-national numbers remains very limited**⁴; therefore, the concept of pan-European numbering resources would require further justification. Besides, the “European Telephony Numbering Space” (ETNS), which used to be a pan-European numbering resource already, was created and then closed down in 2008 due to a lack of interest among stakeholders. Without such a demand at the EU level, BEREC generally questions the necessity to harmonise conditions for numbering management within the EU.

The creation of pan-European numbering resources is outlined only in very broad terms in the DNA without further detailed information and no impact assessment, whereas it would most probably have a great impact on the economy and administration. The adoption of a **Union numbering plan** would require extensive and complex regulations regarding service categories, wholesale conditions, tariffs, and number portability procedures, and would potentially put a heavy workload on the NRAs as well as network operators and service providers.

The responsibilities for each NRA regarding the administration, supervision, compliance management and enforcement of such “international” numbering resources remain unclear.

The pan-European numbering resources could apparently derive either from Union-level numbering ranges obtained through the ITU-T or from harmonised national numbering ranges. However, the proposal does not specify whether one source should be prioritised over the other, even though the two approaches could present very different technical challenges, particularly with regard to end-user rights (e.g., number portability) and end-user protection (e.g., combating fraud, specific rules regarding value-added services). It is also unclear which

⁴ This is also reflected in the fact that the EC has not made use of its current powers under the EECC to issue implementing acts in case of unmet demand.

conditions would apply to each source, or how consistency and proportionality would be ensured in practice. This is especially relevant given that certain harmonisation measures concerning national numbering ranges could potentially entail very high costs for operators. A database for pan-European numbering resources, as outlined in the proposal, could further increase the administrative burden not only for NRAs but for all stakeholders, including the ODN, due to coordination efforts and related IT specifications and costs.

In this regard, it should be noted that the **proposal largely refers to future implementing measures which are to be adopted by the EC**. BEREC's detailed position on the implementing acts can be found in BEREC's position on the governance⁵

On the basis of the information currently available, BEREC therefore considers that this approach raises questions in relation to the principles of proportionality and legal predictability as well as effectiveness and efficiency, which the DNA itself rightly seeks to promote.

Unless the concept is substantially reworked, the administrative burden to develop a new pan-European numbering resource would likely exceed the potential benefits. Therefore, the concept of a pan-European numbering resource should be reconsidered.

Furthermore, the legislative proposal only refers to the EC's implementing measures without further explanation or specification of their requirements or areas of application, thus introducing significant legal uncertainty and unnecessary complexity as regards the roles, rights and obligations imposed on the various involved institutional actors (MSs/NRAs, EC and BEREC/ODN), the applicable supervision model, and the procedural and operational implications of the new framework.

While national numbering plans are administered domestically to meet national market structures, consumer expectations and operational realities, it seems unlikely that reframing these resources as a Union asset would actually lead to a more effective and efficient numbering management and harmonisation. On the contrary, it is more likely that such reframing would lead to burdensome, complex and costly processes to restructure national numbering plans with associated technical and operational challenges. For each numbering range affected by this new approach, it would be necessary to provide a corresponding justification for the assumption that the centralisation of numbering management, as currently proposed, would be more effective and efficient than the current decentralised management. This may also cause subscriber/end-user harm, which will ultimately undermine the NRAs' ability to manage numbering resources efficiently and effectively and in a manner that is sensitive to the national context. The proposed fundamental shift in governance should therefore also be reconsidered.

BEREC also draws attention to the fact that, according to **Article 48(2), an obligation to grant rights of use to undertakings other than providers of electronic communications networks or services** (non-ECN/S entities) is introduced. The scope of this category remains unclear, in particular as the reference to "the provision of specific services" is not further specified, making it difficult to distinguish these entities from existing ECN/ECS providers beyond the absence of a general authorisation requirement. The proposed amendment replacing "may" with "shall" implies an obligation on NRAs to grant, upon application, rights of use for numbering resources to these entities. Such a change reduces the NRAs' room of

⁵ BoR (26) 88_2 BEREC's position on Governance matters in the DNA

manoeuvre by removing the discretion necessary to ensure that numbering resources are assigned in a way that is consistent with national market realities. In particular, NRAs currently assign numbering resources to certain entities (e.g. users of private networks, such as corporate/enterprise, airports, utilities) subject to specific national conditions (such as requirements related to legal status or network deployment), which are not reflected in the proposal. Removing discretion could therefore undermine the ability to ensure efficient and forward-looking management of numbering resources, taking into account national market realities and the need to safeguard their future availability.

This would also force NRAs to always justify a negative decision with increased effort.

Lastly, whilst noticing that there are some benefits to having clear, **harmonised numbering conditions for rights of use for numbering resources (Article 50)** in the DNA, BEREC also notes that there is a distinctive need for flexible conditions to address specific national market challenges and application requests. The need to take preventive and or reactive action to mitigate telecom fraud, when numbering resources and other identifiers are involved, could also justify the need for new and flexible conditions tied to numbering assignments, and therefore, BEREC expects that further work is conducted to enhance Article 50. To avoid “forum shopping” of different kinds of national numbering resources (e.g. E.164 numbers and E.212 mobile network codes), there is a need to apply proper criteria in the national application process of numbering resources and, in the end, also to have clear conditions tied to numbering assignments to avoid this kind of “forum shopping”. BEREC also notices that the conditions in the suggested Article 50 DNA appear to focus on telephone numbering resources (E.164) without consideration that other types of numbering resources (e.g. E.212 MNCs) require different types of conditions and the proposed Regulation prevents the introduction of such conditions.

Finally, it should be noted that the thematic paper⁶ dedicated to end-user provisions contains fraud and emergency communications-related positions.

⁶ BoR (26) 88_15, BEREC’s position on end-users’ rights of the DNA