

BEREC's position on the Objectives of the DNA

2 June 2026

Key messages

- BEREC welcomes that the DNA maintains the regulatory objectives of end-user welfare and single market and the introduction of new objectives aimed at promoting competitiveness, resilience and sustainability of electronic communications networks and services.
- Some proposals for improvement,
 - the promotion of competition should be reinstated as a self-standing general objective.
 - The “reinforcement of competitiveness” should consider the economy at large, instead of focusing narrowly on the connectivity sector specifically.
 - the notion of “efficient investment” should be reinstated among the policy objectives.

Commission proposal:

In addition to the well-established objectives set out in Article 3 of the European Electronic Communications Code¹ (the EECC²), Article 3 DNA introduces a set of new **general objectives** to be pursued by Member States, national regulatory and other competent authorities, as well as BEREC, the Radio Spectrum Policy Body (RSPB), the Office for Digital Networks (ODN) and the European Commission. In particular, the proposal adds the objectives of reinforcing the **competitiveness of the connectivity sector** and **promoting the resilience, preparedness and sustainability of electronic communications networks and services** at Union level **and supporting other Union policies relying on radio spectrum**.

BEREC's assessment:

BEREC broadly supports the introduction of the new general objectives aimed at promoting competitiveness, resilience and sustainability of electronic communications networks and services³.

On the other hand, BEREC also calls for clarification on the scope of this objective to environmental sustainability, as sustainability itself is a broader term covering also social and economic sustainability. BEREC highlights the task assigned by Article 122(2) to evaluate the need for 'regulatory innovation'. To ensure this task is effective, 'regulatory agility' should be included as a guiding principle in Article 3(2). This will empower authorities to adapt the framework to emerging technologies, such as edge computing and satellite-terrestrial integration, fostering a more experimental and forward-looking regulatory environment.

¹ Namely the promotion of connectivity, competition, the development of the internal market and the protection of end-users' interests.

² Directive (EU) 2018/1972 of the European Parliament and of the Council of 11 December 2018 establishing the European Electronic Communications Code, <https://eur-lex.europa.eu/eli/dir/2018/1972/oj/eng>

³ Please, see the specific thematic papers on resilience and environmental sustainability for further specific proposals in these areas.

BEREC is concerned that the DNA proposal downgrades competition from a self-standing regulatory objective, as currently recognised under the EECC, to a mere instrument for ensuring “the provision of high-quality, affordable and publicly available electronic communications services to all end-users”, as reflected in Article 3(1) DNA. This shift away from a focus on competition is exacerbated by the introduction of the new general objective, to reinforce the competitiveness of the connectivity sector and industry at large.

In BEREC’s view, competition remains the primary driver of investment in innovative connectivity solutions, to the advantage of all users who benefit from choice, quality and affordable prices, as well as of the overall competitiveness of the electronic communications sector, which is itself the result of competitive dynamics. Effective competition, supported by predictable and pro-investment regulation, is therefore a key enabler of sectoral competitiveness and ultimately of the competitiveness of the EU economy.

Against this background, BEREC is concerned that the promotion of competition is no longer recognised as an autonomous general objective as it was prescribed in Art 3(2)(c) EECC. Competitive market conditions are the foundation over which investment, innovation, competitiveness and end-user welfare flourish.

Reinstating the central role of competition, by keeping it as a stand-alone sectoral objective, would recognise it as a necessary key driver of competitiveness. In turn, competitive market dynamics would continue to guarantee a predictable and coherent framework, which would also facilitate more consistent implementation by all the stakeholders and better serve both the simplification and single market goals.

In this context, the pursuit of competitiveness must preserve an ecosystem that allows for disruptive innovation from SMEs and local-scale projects. A framework solely focused on European scale should not overlook the role of competition as a catalyst for diverse and decentralised innovative connectivity solutions.

From the perspective of NRAs, such an approach would indeed allow regulatory measures to be based on a coherent set of objectives, thus preserving legal certainty and regulatory predictability, which are fundamental drivers for encouraging investment in the internal market.

Regarding the single market and end-user protection, BEREC welcomes that the relevant objectives are kept and stressed. It has been a success in the EU that end-users now enjoy extensive rights when consuming electronic communication services and have relevant tools at their disposal to make informed choices in terms of services and providers thereof⁴.

BEREC is also concerned by the modification made to Article 3(4)(d) EECC. According to the DNA, NRAs are no longer required to “promote *efficient* investment and innovation in new and enhanced infrastructures [...]”. It is unclear why the DNA does not include the notion of efficiency in investment, when this principle, in fact, fosters viable infrastructure deployment⁵. Also, innovation must be an explicit regulatory priority to ensure long-term leadership in technologies like advanced fibre, 6G, AI-enabled services and quantum. Moreover, and additionally to render explicit innovation as an objective, it is important that the DNA foresees guidelines that could lead the way to bringing innovation to the markets.

⁴ Please, see the specific thematic papers on end users for further specific proposals in these areas.

⁵ Especially since the notion of efficient investment is mentioned in recital 21 of the DNA.

Finally, BEREC questions whether the new objective of “supporting the objectives of other Union policies relying on radio spectrum” is sufficiently clear and well-defined, and whether it will effectively contribute to legal certainty in the application of the regulatory framework by the competent authorities.

Alternative proposals:

Regarding sustainability, BEREC calls for clarification on the scope of this objective to environmental sustainability.

The promotion of competition should be reinstated as a self-standing general objective of the new legal framework, while competitiveness should be clearly linked to effective competition, which constitutes a key prerequisite for it.

The “reinforcement of competitiveness”, as set out in Article 3(1)(a) DNA, should consider the economy at large, instead of focusing on the connectivity sector specifically. Connectivity is not an end in itself, but an enabler for business innovation in AI and Cloud, which are vital for the Union’s digital transformation goals – connectivity goals should be measured by their ability to enable high-value services across vertical sectors.

This would ensure that regulatory decisions are guided by a coherent and stable set of objectives, benefiting legal predictability and simplifying regulatory decision-making, thereby supporting (cross-border) investment, and contributing to the further deepening of the internal market.

Lastly, the notion of “efficient investment” should be reinstated under the DNA amongst the principles that NRAs should apply in pursuit of the general objectives.