Digital Networks Act

Position on the ITRE Draft Report

3. November 2026

On the 20th October 2026, the rapporteur's draft report for the ITRE Committee on the Digital Networks Act (DNA) was published.[1] This overhaul of the telecommunications regulatory framework has major impacts on net neutrality, consumer rights and the future of the open internet. We have published an analysis, which highlights the biggest risks and key takeaways from a civil-society, consumer-protection and human-rights perspective.[2]

Key Findings:

- Net Neutrality (Amendments 133, 134, 428–431, 433–436, 493): The amendments would undermine a decade of experience, case law and legal certainty, open the door to paid fast lanes and extend obligations to companies that do not manage traffic. Amendment 430 would strip away the safeguards that prevent existing online services from buying a fast lane in the form of a specialised service. By adding the word "purely", Amendment 429 would allow traffic management that is partly based on commercial considerations, which the Court of Justice has clearly ruled out. Amendment 431 would insert the Commission between the law and the regulators and lead to the political capture of a crucial part of the net neutrality framework.
- Network Fees (Amendments 3, 92–94, 157, 174, 175, 178, 184, 379, 380, 486, 519, 545, 547–549): The commercialisation of the interconnection market would price out most European companies that simply want to offer their services in the single market. Amendment 379 would create a legal basis for network fees in a market that has functioned worldwide for decades without remuneration or any regulatory oversight. 99.9996 % of the more than 15 million interconnection agreements analysed in 2021 were concluded on symmetric terms, and according to BEREC in several reports, there is no need for regulatory intervention. Charging content providers for the same delivery would mean that ISPs get paid twice for the same service. We recommend deleting Articles 191 to 193.
- Data Protection (Amendment 458): The amendment would allow providers to derogate from the confidentiality rules of the ePrivacy Directive for traffic and location data. Once a purpose for processing and retaining confidential data is established, such data will fall in many jurisdictions under data retention provisions and be made available to law enforcement. The Court of Justice has repeatedly ruled that the general and indiscriminate retention of traffic and location data is incompatible with the Charter of Fundamental Rights.
- Consumer Protection & Affordability (Amendments 142, 449, 451, 117, 119–122, 124, 125, 128–130, 420, 421, 425, 427): Removing the right of Member States to keep shorter maximum contract durations and introducing termination fees only serves telecom companies whose customers want to leave them. Low-income households depend on affordable offers to access

1 https://www.europarl.europa.eu/doceo/document/ITRE-PR-791994_EN.html
2 https://epicenter.works/content/dna-analysis-itre-draft-report

the internet, which is vital for their work, health, education and democratic participation. Simply relying on vouchers fills the pockets of telecom companies at the expense of the taxpayer.

- Competition, Spectrum & Public Warnings (Amendments 60, 98, 102, 105, 399–404, 278, 302, 311, 152): The amendments would weaken the ability of regulators to impose effective remedies on operators with significant market power and would allow EU-wide spectrum authorisations for a few selected companies. Extending the minimum licence duration from 40 to 50 years would lock in the current rights holders for half a century. Cell broadcast is the only scalable technology for public warnings in an emergency.
- Regulatory Independence (Amendments 33, 116, 156, 160–165, 483, 495, 503–515, 526): These are mostly positive improvements that strengthen the role of NRAs and BEREC, with the exception of the absolute-majority voting rule (Amendments 160 and 504) and the composition of the ODN Management Board (Amendment 165). The ODN is an extension of the Commission and should not chair any BEREC working groups.
- Router Freedom & Carrier Neutrality (Amendments 97, 154, 477, 490, 492): We welcome the amendments that strengthen the freedom of customers to choose their own devices. More harmonisation is needed to address the remaining fragmentation of the single market on both points.

Voting Recommendation

green (+) Support: 97, 116, 135, 139, 141, 144, 154, 156, 161, 162, 163, 164, 432, 452, 477, 483, 490, 492, 495, 503, 506–508, 510–515, 526, 550, 551

yellow (~) Mixed: 117, 136, 425

red (-) Reject: 3, 33, 60, 92–94, 98, 102, 105, 119–122, 124, 125, 128–130, 133, 134, 142, 152, 157, 160, 165, 173–175, 178, 184, 278, 302, 311, 379, 380, 399–404, 420, 421, 427, 428–431, 433, 434–436, 449, 451, 458, 486, 493, 504, 519, 544, 545, 547, 548, 549