

Router Freedom in Germany: A victory for consumers! - FSFE

7-9 minutes

News

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After a failed attempt by internet providers to exclude Router Freedom from fiber networks, the German regulator BNetzA has confirmed Router Freedom in the country. The FSFE, which has been pushing for this since 2013, will continue to monitor implementation and compliance.



Router Freedom is the right to choose and use the router or modem of your choice to connect to the Internet. Similar to freedom of choice regarding smartphones or other internet devices, Router Freedom is the hardware aspect of net neutrality. In 2013, the FSFE in cooperation with other organisations, [started to advocate for it in Germany](#), pushing this agenda with decision makers, resulting in a law in 2016 safeguarding Router Freedom for end-users.

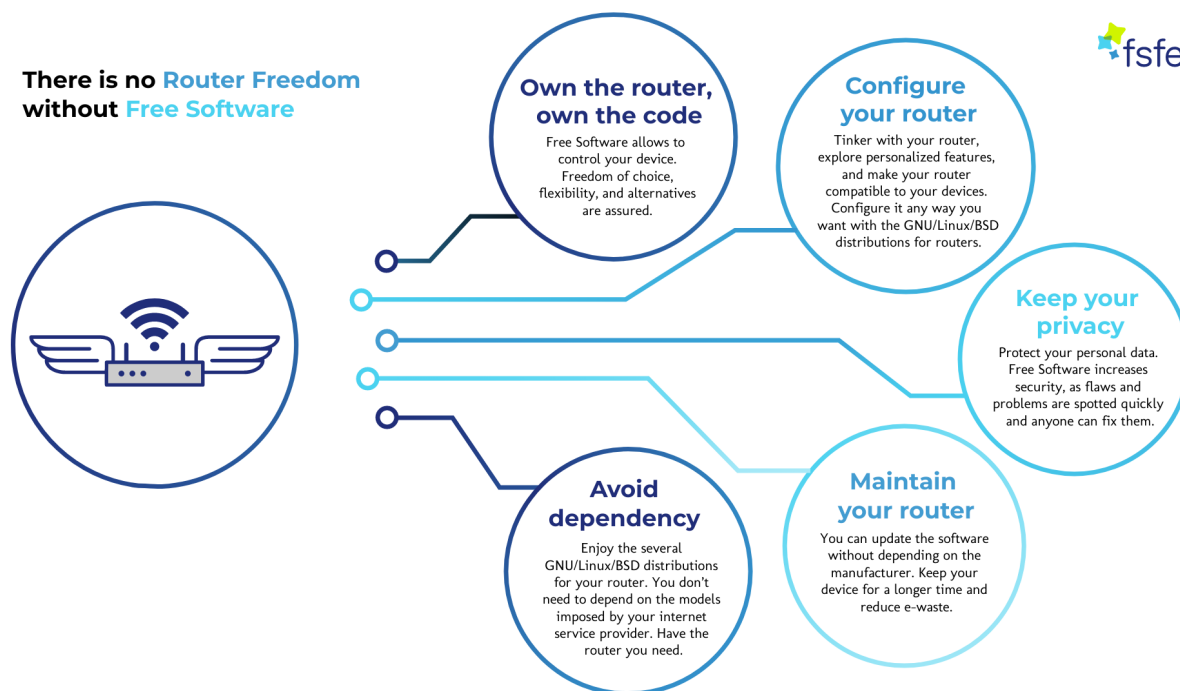
In the imminence of the 9th anniversary of the law which, in 2016, introduced Router Freedom in Germany, the German telecom regulator Bundesnetzagentur (BNetzA) has [successfully concluded a regulatory procedure](#) (DE) requested by an association of fiber network operators in Germany to exclude Router Freedom from fiber networks. The request, made in 2023, was based on a series of arguments including security of the network, cost of support, quality of service and interoperability issues.

No technical necessity to limit Router Freedom in fiber networks

In September, 2023, the FSFE submitted a [detailed position paper](#) debunking the arguments of the fiber operators. We called on the regulator to dismiss the request, as no legal or technical reason could support excluding Router Freedom from fiber. Indeed, although the network operators have tried to pose fiber networks as a special case, we have demonstrated that there is no objective technological necessity to abolish Router Freedom. On the contrary, Router Freedom for fiber represents freedom of choice, security, consumer welfare, fair competition and sustainability.

The German regulator has analysed the case applying the [Guidelines proposed by BEREC, the association of the European telecom regulators](#), on the location of the “Network Termination Point” (NTP). The Guidelines on

the NTP allow national authorities to limit Router Freedom if an “objective technical necessity” could be established. The criteria for that included interoperability, security, simplicity of operation and data protection factors. The German operators requested BNetzA to completely limit end-users possibility to choose their own routers or to separate the fiber optical terminal (ONT), so personal routers could be used only in “bridge mode”, which would also negatively impact consumer choice.



In its [comprehensive decision](#) (DE), BNetzA rejected all the arguments brought forward by the telecom operators, explaining in detail why freedom of terminal equipment complies with each of the criteria required by BEREC. Among them, we highlight:

- **Overstated network security risks:** BNetzA rebutted operators by demonstrating that past records have shown that operators' proprietary devices were also vulnerable to security risks. Besides, no significant number of security disruptions could be found in all those nine years the law has been in force in Germany. Operators have been slow in providing security updates to the equipment they provide to end-users, so limiting Router Freedom would not improve avoiding vulnerabilities;
- **Far-fetched disruptive scenarios:** BNetzA questioned the far-reaching security scenarios posed by operators, pointing out a lack of objectivity in the reports. The disruptive assumptions made by the operators could not justify limiting Router Freedom;
- **Fragile evidence against interoperability:** BNetzA affirmed that it has received very few reports of disruptions due to connection of personal routers to the networks. There was one isolated case in 2016;
- **Technological neutrality is necessary:** The regulator reinforced a position taken by the German government in 2018 about safeguarding technological neutrality in regulation. Since diverse types of routers and modems are available on the market, the legislation should not discriminate against specific types of technology. Only a technology-neutral approach guarantees the freedom of terminal devices stipulated by European law for the benefit of end-users.

A victory for long-lasting civil society engagement

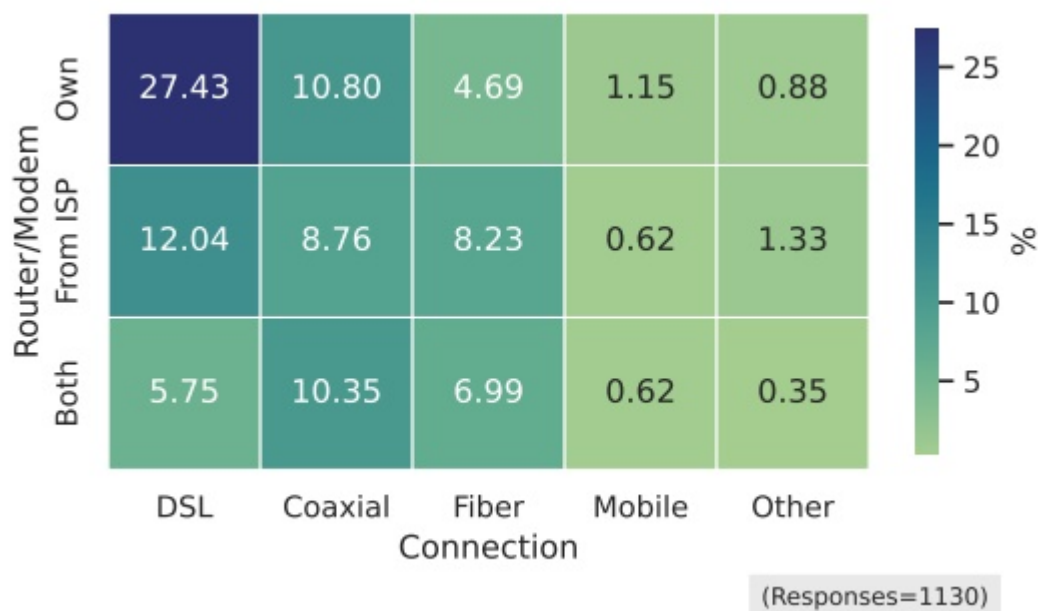
The [FSFE's advocacy for Router Freedom started in 2013](#), way before the German law enacting this right entered in force. In 2019, during the reform of the EU telecom law, we expanded our efforts to the European level, engaging with national and European regulators. Router Freedom has become a reality in diverse EU countries, including [Finland](#), [Italy](#), [Belgium](#) and [the Netherlands](#).

In all these processes we engaged local communities, experts and decision makers to protect the rights of end-users. Community support was key for achieving such success. For instance, the FSFE conducted a two-year project among its communities to collect data about abuses by telecom operators and other difficulties related to Router Freedom. The overarching survey resulted in a [comprehensive report published in 2023](#) demonstrating how internet providers still hamper consumer freedom of choice, exercise lock-in over internet equipment and promote proprietary devices.

All over Europe, end-users have manifested their support for our work towards improving regulatory policies safeguarding the right to choose and use routers and modems. More than 90% of the participants in our survey agreed Router Freedom is key for open internet, security and data protection, fair competition and digital sustainability.

Help us expanding Router Freedom to other countries

As Router Freedom represents the hardware layer of net neutrality, it is an important policy demand.



In this chart of types of connection and router usage can be seen that, although the majority of DSL subscribers use their own routers, those on fiber and coaxial connections are still dependent on providers' equipment.

Differently from Germany, Router Freedom is still not a reality in several EU countries. The regulatory framework remains fragmented with countries like [Austria and France, which decided to abolish Router Freedom](#), or countries like [Greece, which was not able to fully commit](#) to end-users rights, allowing Router Freedom only for limited types of networks.

That's why we count on your support. There is still a lot to be done. [Device Neutrality is threatened](#) not only by internet service providers, but also by software and hardware manufacturers and vendors not respecting end-users freedoms and rights. We strongly believe that software freedom should be the default standard and end-users should not be imprisoned into lock-ins. Tech companies should not trap users into walled gardens that limit what they can do with their devices.



It is time for us to liberate all our devices, including routers and modems. Help us with a donation to achieve this in Europe!

We need your support for our long-lasting engagement. We are ready to fight for Router Freedom in the next decade. Join our cause now!

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