



Brussels, 24 June 2026

**Keep the Digital Omnibus true to its promise:  
Simplification that lets European tech build and scale**

Ahead of COREPER on 26 June, European tech associations wish to share a candid assessment of the Digital Omnibus<sup>1</sup> as it stands.

We strongly support the proposal’s stated objective to optimise the application of the EU digital rulebook so that European companies spend less time on compliance and more time building and scaling. Effective simplification, business scalability and a high level of privacy protection are not opposing objectives; clear, EU-consistent, risk-based rules are a precondition for both.

Member States have repeatedly endorsed this ambition, from the Budapest Declaration<sup>2</sup> to the European Council conclusions of March 2025<sup>3</sup>. We urge the Council to ensure the final text reflects the simplification ambition instead of rolling it back. To do so, the **Council must take the time needed to get the file right: negotiation speed must not come at the expense of EU competitiveness.**

<sup>1</sup> Proposal for a regulation of the European Parliament and the Council amending Regulations (EU) 2016/679, (EU) 2018/1724, (EU) 2018/1725, (EU) 2023/2854 and Directives 2002/58/EC, (EU) 2022/2555 and (EU) 2022/2557 as regards the simplification of the digital legislative framework, and repealing Regulations (EU) 2018/1807, (EU) 2019/1150, (EU) 2022/868, and Directive (EU) 2019/1024 (Digital Omnibus), available at: [eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:52025PC0837#footnote4](https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:52025PC0837#footnote4).

<sup>2</sup> Budapest Declaration on the New European Competitiveness Deal (November 2024).

<sup>3</sup> European Council Conclusions of March 2025, available at: [20250320-european-council-conclusions-en.pdf](https://20250320-european-council-conclusions-en.pdf).

**We welcome the decision to keep centralised, browser-level cookie consent (Article 88b) out of the text.** This avoids handing new leverage to a handful of gatekeeper browsers and preserves the direct relationship between European digital services and their users.

However, **we urge the Council to reserve its position on the following topics**, where further discussion is needed to ensure that simplification in practice strengthens Europe's competitiveness.

To boost European leadership in tech and have fair competition, **European companies must be able to develop, use and benefit from artificial intelligence (AI). They must have access to the data needed to input into AI.** Concretely this means:

1. Being able to train AI with data on the basis of legitimate interest: The Council appears set to drop this. We urge Member States to reconsider. Without a workable legal basis - one that, like all legal bases, requires full compliance with the GDPR (balancing test, safeguards, security, transparency and the right to opt out) - AI development on European data risks leaving Europe. Our scale-ups will be pushed towards smaller, less diverse datasets and in the end lower quality AI. A clear legal basis for AI training would itself bring significant legal certainty and simplification for European companies.
2. Clarify when the GDPR applies and when it does not apply to data: A new provision (Article 29a) risks undermining the development of the EU data economy and runs counter to longstanding CJEU case law, including the recent SRB case<sup>4</sup>. As drafted, it leaves it unclear when the GDPR applies and when it does not, rather than providing certainty that data which does not relate to an identifiable individual falls outside its scope. In doing so, it fails to deliver the legal certainty needed on the scope of the GDPR. If adopted, this provision would continue to hamper European companies' access to data and their ability to train and develop AI with confidence.

In line with the political ambition to **simplify today's fragmented regulatory landscape and duplicative reporting, a single entry point for breach notifications is essential.** One harmonised mechanism, aligned with NIS2, in place of 27 fragmented contact points, would let companies focus incident response on containment and protecting users, rather than on filing duplicate notifications across different national reporting schemes.

Given the economic and operational impact of these choices, we urge the Council and Member States to maintain a clear focus on effective simplification: **building a true European data economy that lets our businesses scale while upholding a high level of privacy protection.** To this end, preserve a workable legal basis for AI training, codify the relative approach to personal data, and keep open the single entry point for breach notifications.

---

<sup>4</sup> CJEU, Single Resolution Board v EDPS, Case C-413/23 P, confirming the relative approach to the definition of personal data.

We remain ready to engage constructively in support of a meaningful and workable result where simplification leads to building and scaling a strong European tech ecosystem.

Yours sincerely,

co-signatories (by alphabetical order)

[351 Portuguese Startup Association](#)

[AI Sweden](#)

[Alliance Digitale](#)

[Bitkom](#)

[Danish Entrepreneurs](#)

[Deutscher Startup Verband](#)

[European Startup Network](#)

[European Tech Alliance \(EUTA\)](#)

[Federation of European Data and Marketing \(FEDMA\)](#)

[France digitale](#)

[German Retail Federation \(HDE\)](#)

[Italian Tech Alliance](#)

[NLtech](#)

[Thuis Winkel](#)

[Unicorns Lithuania](#)