BEUC The European Consumer Organisation

The Consumer Voice in Europe

Ms Henna Virkkunen
Executive Vice-President
Tech Sovereignty, Security and Democracy
Mr Michael McGrath
Commissioner
Democracy, Justice, the Rule of Law and Consumer Protection
European Commission

BEUC-X-2025-105 12 November 2025

Subject: BEUC concerns on Digital Omnibus - keep protections under GDPR and uphold the AI Act

Dear Executive Vice-President Virkkunen,
Dear Commissioner McGrath,

I am writing on behalf of BEUC, The European Consumer Organisation to express our concerns with the recent public reports that the European Commission, in the upcoming Digital Omnibus proposal, is preparing to enact an extensive reopening of the General Data Protection Regulation (GDPR) and the Artificial Intelligence Act (AIA).

BEUC and its member organisations recall that the Commission recently issued assurances that the simplification agenda was not going to lead a deregulation wave. The recent reports seem to prove the opposite.

Deregulation without simplification.

We are concerned that the forthcoming Commission proposal puts forward a **sweeping** reform of fundamental safeguards for consumers and European businesses. In particular, we are alarmed by the restrictive definition of personal data and special categories of data, including health data. Moreover, companies can simply rely on their own legitimate interests for interfering with consumers' devices.

We also object to the same legal bases being applied to train and operate AI systems. This means the proposal is effectively trading-off consumers' privacy for the sake of AI deployment and (a few) AI companies' profitability.

We are equally concerned by the changes proposed to the AI Act, such as a potential "stop the clock" on implementation, the removal of AI literacy obligations for companies, and the broad extension of exemptions to small mid-caps, which would substantially weaken the consumer protections, reduce accountability and delay effective implementation and enforcement.

These changes go beyond a targeted revision.

For a proposal that stands to affect the fundamental rights of hundreds of millions of European consumers, the considered changes lack legal precision, legal grounds and appropriate input.

The considered changes perform a substantial reopening of the GDPR without proper justification and necessary evidence, including an impact assessment, in line with the European Commission's Better Regulation principles. Furthermore, these changes have not been consulted with stakeholders, despite ample opportunity to do so in the recent GDPR Implementation Dialogue or the Call for Evidence for the Digital Omnibus.

Deregulation harms competitiveness and consumer protection.

While the simplification agenda is meant to increase European competitiveness, we fear that the considered changes will not only fail to achieve this objective but prove counterproductive. The companies who stand to benefit the most from the current proposed changes are all but European. For instance, no longer requiring consent for cookies will only increase an already thriving data market and non-EU-based data brokers. Similarly, allowing AI training based on legitimate interests will only confirm the business models of AI developers and Big Tech in the US and China. Removing the rules created to ensure a level-playing field for EU companies would undermine, not enable **European digital sovereignty**. Consumers will end up paying the price for the services they use **twice, with their data and money.**

We trust the European Commission will defend consumers fundamental rights.

Please note that due to the overarching public interest in this matter we intend to make this letter publicly available.

Yours sincerely,

Agustín Reyna
Director General