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Opinion of the European Committee of the Regions — Digital simplification and Data Union Strategy

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Opinion of the European Committee of the Regions – Digital simplification and Data Union Strategy

(C/2026/3469)

Rapporteur-general	:	Pehr GRANFALK (EPP), Member of Solna Municipal Council
Reference documents	:	Communication from the Commission to the European Parliament and the Council – Data Union Strategy Unlocking Data for AI COM(2025) 835 Proposal for a Regulation of the European Parliament and of the Council amending Regulations (EU) 2024/1689 and (EU) 2018/1139 as regards the simplification of the implementation of harmonised rules on artificial intelligence (Digital Omnibus on AI) COM(2025) 836 Proposal for a Regulation of the European Parliament and of 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) COM(2025) 837

I. RECOMMENDATIONS FOR AMENDMENTS

Amendment 1

COM(2025) 836 final – Digital Omnibus on AI

Add a new paragraph

Article 1(2a)

Text proposed by the European Commission	CoR amendment
	(2a) In Article 3(3), paragraph 3 is replaced by the following:
	(3) 'provider' means a natural or legal person, public authority, agency or other body that develops an AI system or a general-purpose AI model or that has an AI system or a general-purpose AI model developed and places it on the market or puts the AI system into service under its own name or trademark, whether for payment or free of charge. For the purpose of this Regulation, a region, city or municipality of less than 50 000 inhabitants shall not be considered to be a 'provider' for AI systems that do not fall under the high-risk categories listed in Annex III.

Reason

To avoid slowing down the pace of development due to administrative burdens, steps must be taken to loosen obligations for smaller regions and municipalities should they move from being the deployer of an AI system to a provider or developer.

Amendment 2

COM(2025) 836 final – Digital Omnibus on AI

Add a new paragraph

Article 1(12a)

Text proposed by the European Commission	CoR amendment
	(12a) In Article 41(1), paragraph 1 is replaced by the following:
	1. The Commission shall adopt implementing acts establishing common specifications for the requirements set out in Section 2 of this Chapter or, as applicable, for the obligations set out in Sections 2 and 3 of Chapter V where the following conditions have been fulfilled, by 2 December 2027 at the latest:

Reason

The necessary legal clarity must be guaranteed by providing harmonised standards applicable in the 27 EU Member States.

Amendment 3

COM(2025) 836 final – Digital Omnibus on AI

Amend

Article 1(17)

Text proposed by the European Commission	CoR amendment

(17) Article 57 is amended as follows:	(17) Article 57 is amended as follows:
(a) the following paragraph 3a is inserted:	(a) the following paragraph 3a is inserted:
The AI Office may also establish an AI regulatory sandbox at Union level for AI systems covered by Article 75(1). Such an AI regulatory sandbox shall be implemented in close cooperation with relevant competent authorities, in particular when Union legislation other than this Regulation is supervised in the AI regulatory sandbox, and shall provide priority access to SMEs.	The AI Office may also establish an AI regulatory sandbox at Union level for AI systems covered by Article 75(1). Such an AI regulatory sandbox shall be implemented in close cooperation with relevant competent authorities, in particular when Union legislation other than this Regulation is supervised in the AI regulatory sandbox, and shall provide priority access to SMEs ***and local and regional authorities, particularly when they develop or test AI solutions for public services, industry or territorial policies*** .

Reason

AI regulatory sandboxes, established at EU level, should also be open to LRAs.

Amendment 4

COM(2025) 836 final – Digital Omnibus on AI

Add a new paragraph

Article 1(29a)

Text proposed by the European Commission	CoR amendment
	(29a) In Article 99(4)e), point e) is replaced by the following:
	e) obligations of deployers pursuant to Article 26, except when the deployer is a regional or local authority of less than 50,000 inhabitants that engages in AI systems not falling under the high-risk categories listed in Annex III;

Reason

Fines imposed by Article 99 of the AI Act could be devastating to LRAs. In addition, due to the lack of internal procedures for non-compliance with the AI Act, it would be impossible to define personal accountability for such fines.

Amendment 5

COM(2025) 836 final – Digital Omnibus on AI

Amend

Article 1(31)

Text proposed by the European Commission	CoR amendment

(31) Article 113 is amended as follows:	(31) Article 113 is amended as follows:
(a) in the third paragraph, point (d) is added:	(a) in the third paragraph, point (d) is added:
‘(d) Chapter III, Sections 1, 2, and 3, shall apply ***following the adoption of a decision of the Commission confirming that adequate measures in support of compliance with Chapter III are available, from the following dates:***	“(d) Chapter III, Sections 1, 2, and 3, shall apply:
(i) 6 months after the adoption of that decision as regards AI systems classified as high-risk pursuant to Article 6(2) and Annex III, and	
(ii) 12 months after the adoption of the decision as regards AI systems classified as high-risk pursuant to Article 6(1) and Annex I.	
In the absence of the adoption of the decision within the meaning of subparagraph 1, or where the dates below are earlier than those that follow the adoption of that decision, Chapter III, Sections 1, 2, and 3, shall apply :	
(i) on 2 December 2027 as regards AI systems classified as high-risk pursuant to Article 6(2) and Annex III, and	(i) on 2 December 2027 as regards AI systems classified as high-risk pursuant to Article 6(2) and Annex III, and
(ii) on 2 August 2028 as regards AI systems classified as high-risk pursuant to Article 6(1) and Annex I.’;	(ii) on 2 August 2028 as regards AI systems classified as high-risk pursuant to Article 6(1) and Annex I.”;

Reason

The entry into force of relevant provisions of the AI Act must be simplified.

Amendment 6

COM(2025) 837 final – Digital Omnibus

Amend

Article 1(7)

Text proposed by the European Commission	CoR amendment
7. the following Article 15a is inserted:	7. the following Article 15a is inserted:
‘Article 15a	**“Article 15a**
Obligation for data holders to make data available on the basis of a public emergency	Obligation for data holders to make data available on the basis of a public emergency
1. Where a public sector body, the Commission, the European Central Bank or a Union body demonstrates an exceptional need to use certain data to carry out its statutory duties in the public interest when responding to, mitigating, or supporting the recovery from a public emergency, it may request from data holders that are legal persons, other than public sectors bodies, to make available those data, including the metadata necessary to interpret and use those data. Upon such duly reasoned request, data holders shall make the data and metadata available to the requesting public sector body, the Commission, the European Central Bank or Union body. Such requests may also be made where the production of official statistics is required in relation to a public emergency.	1. Where a public sector body, the Commission, the European Central Bank or a Union body demonstrates an exceptional need to use certain data to carry out its statutory duties in the public interest when ***preventing an imminent public emergency or*** responding to, mitigating, or supporting the recovery from a public emergency, it may request from data holders that are legal persons, other than public sectors bodies, to make available those data, including the metadata necessary to interpret and use those data. Upon such duly reasoned request, data holders shall make the data and metadata available to the requesting public sector body, the Commission, the European Central Bank or Union body. Such requests may also be made where the production of official statistics is required in relation to a public emergency.
2. Where the data requested are necessary to respond to a public emergency, and the requesting body pursuant to paragraph 1 is unable to obtain such data by other means in a timely and effective manner under equivalent conditions, the request shall concern non-personal data. Where the provision of non-personal data is insufficient to address the public emergency, personal data may also be requested and, where possible, made available in pseudonymized form, subject to appropriate technical and organisational measures to ensure their protection.	2. Where the data requested are necessary to respond to a public emergency, and the requesting body pursuant to paragraph 1 is unable to obtain such data by other means in a timely and effective manner under equivalent conditions, the request shall concern non-personal data. Where the provision of non-personal data is insufficient to address the public emergency, personal data may also be requested and, where possible, made available in pseudonymized form, subject to appropriate technical and organisational measures to ensure their protection.
3. Where the data requested are necessary to mitigate or support the recovery from a public emergency, a requesting body pursuant to paragraph 1 acting on the basis of Union or national law, may request specific non-personal data, the lack of which prevent it from mitigating or supporting the recovery from a public emergency. Such requests shall not be made to microenterprises and small enterprises.”;	3. Where the data requested are necessary to ***prevent or*** mitigate or support the recovery from a public emergency, a requesting body pursuant to paragraph 1 acting on the basis of Union or national law, may request specific non-personal data, the lack of which prevent it from ***preventing or*** mitigating or supporting the recovery from a public emergency. Such requests shall not be made to microenterprises and small enterprises.’;

Reason

Having timely access to data is also key to prevent imminent public emergencies.

Amendment 7

COM(2025) 837 final – Digital Omnibus

Amend

Article 1(9)

Text proposed by the European Commission	CoR amendment
Article 17 is amended as follows:	Article 17 is amended as follows:
(a) paragraph 1 is amended as follows:	(a) paragraph 1 is amended as follows:
(i) the introductory wording is replaced by the following:	(i) the introductory wording is replaced by the following:
‘When requesting data pursuant to Article 15a, a public sector body, the Commission, the European Central Bank or a Union body shall:’;	‘When requesting data pursuant to Article 15a, a public sector body, the Commission, the European Central Bank or a Union body shall:’;
(ii) points (b) and (c) are replaced by the following:	(ii) points (b) and (c) are replaced by the following:
‘(b) demonstrate that the conditions to make a request under Article 15a are met;	“(b) demonstrate that the conditions to make a request under Article 15a are met;
(c) explain the purpose of the request, the intended use of the data requested, including, where applicable, by a third party in accordance with paragraph 4 of this Article, the duration of that use, and, where relevant, how the processing of personal data is to address the public emergency;’;	(c) explain the purpose of the request, the intended use of the data requested, including, where applicable, by a third party in accordance with paragraph 4 of this Article, the duration of that use, and, where relevant, how the processing of personal data is to address the public emergency;”;
(b) paragraph 2 is amended as follows:	(b) paragraph 2 is amended as follows:
(i) point (c) is replaced by the following:	(i) point (c) is replaced by the following:

‘(c) be proportionate to the public emergency and duly justified, regarding the granularity and volume of the data requested and the frequency of access to the data requested;’;	‘(c) be proportionate to the public emergency and duly justified, regarding the granularity and volume of the data requested and the frequency of access to the data requested;’;
(ii) point (e) is deleted.;	(ii) point (e) is deleted.;
(c) ***paragraphs*** 5 ***and 6 are*** deleted;	(c) ***paragraph*** 5 ***is*** deleted;

Reason

The Commission’s proposal aims to remove the requirement that it develop a template for Requests for data to be made available, which runs counter to the CoR’s call for more guidance. In addition, the lack of common procedures complicates collaboration with companies, universities or start-ups, as many datasets are subject to contractual or intellectual property restrictions when operated by third parties.

Amendment 8

COM(2025) 837 final – Digital Omnibus

Amend

Article 1(18)

Text proposed by the European Commission	CoR amendment
18. the following Chapters VIIa, VIIb and VIIc are inserted:	18. the following Chapters VIIa, VIIb and VIIc are inserted:
[…]	[…]
Article 32y Fees	Article 32y Fees
(1) Public sector bodies which allow re-use of certain categories of protected data may charge fees for allowing the re-use of such data.	(1) Public sector bodies which allow re-use of certain categories of protected data may charge fees for allowing the re-use of such data.

(2) Where public sector bodies charge fees, they shall take measures to provide incentives for the re-use of certain categories of protected data for non-commercial purposes, such as scientific research purposes, and by start-ups, SMEs and SMCs in accordance with Union State aid rules. In that regard, public sector bodies may also make the data available at a discounted fee or free of charge, in particular to start-ups, SMEs and SMCs, civil society, research and educational establishments. To that end, public sector bodies may establish a list of categories of re-users to which data or documents for re-use is made available at a discounted fee or free of charge. That list, together with the criteria used to establish it, shall be made public.	(2) Where public sector bodies charge fees, they shall take measures to provide incentives for the re-use of certain categories of protected data for non-commercial purposes, such as scientific research purposes, and by start-ups, SMEs and SMCs in accordance with Union State aid rules. In that regard, public sector bodies may also make the data available at a discounted fee or free of charge, in particular to start-ups, SMEs and SMCs, civil society, research and educational establishments ***and undertakings established in any of the 27 EU Member States*** . To that end, public sector bodies may establish a list of categories of re-users to which data or documents for re-use is made available at a discounted fee or free of charge. That list, together with the criteria used to establish it, shall be made public.
[…]	[…]

Reason

Public bodies should grant incentives to EU-based undertakings for the re-use of certain categories of protected data.

II. POLICY RECOMMENDATIONS

THE EUROPEAN COMMITTEE OF THE REGIONS:

General observations

1. welcomes the European Commission's strategic direction and the Omnibus proposals intended to merge, simplify and clarify existing regulations. The legal requirements and the geopolitical situation place increasingly high demands on local and regional authorities, while at the same time there is a focus on innovation capacity through data and AI;

2. notes that the cumulative burden of complying with multiple, overlapping regulatory frameworks continues to weigh heavily on EU companies and technological competitiveness, and effectively prevents smaller municipalities from adopting AI-enabled public service improvements, thereby deepening existing digital divides; stresses the need for truly innovation-friendly regulations that encourage investment and risk-taking, translating research and development into marketable technologies;

3. stresses that the EU must nonetheless remain a global leader in the regulation of the digital economy, which is essential for its strategic autonomy, competitiveness, and the protection of democracy. In this context, the regulatory framework for the digital economy must remain human centred, and simplification efforts must be fully aligned with ethics, privacy and data protection, information security, and good governance;

4. regrets that the Digital and AI Omnibus packages were not subject to appropriate impact assessments and public consultations before they were proposed to understand the impact of these technical amendments not only on simplification and reduction of compliance costs, but also the substantive ramifications they could have on the fundamental rights safeguards;

5. welcomes the establishment of a standardised and streamlined Single Entry Point (SEP) for incident reporting, and is pleased that it will become a unified entry point for several areas; is also pleased that reporting is limited to high-risk incidents and that it is proposed to increase the reporting time from 72 hours to 96 hours; assumes that the reporting will be handled through each Member State's Cyber Emergency Response Team function in order to avoid duplicate reporting;

6. notes the proposal not to classify pseudonymised data as personal data, which entails both administrative reliefs and opportunities related to availability and use while stressing that safeguards must remain in place due to the residual risk of re-identification;

7. suggests that AI, data management and cloud services all come under the strategic application areas for Made in Europe, which is intended to become a guiding criterion for public procurement. This label can save local and regional authorities time and resources, as verification has been checked and approved by a central body;

Observations on the Digital Omnibus (*acquis*)

8. is concerned that the regulations require a high level of local expertise in law, technology and security, along with strong financial capacity. The skills shortage in the AI area means that smaller municipalities have difficulty building their own capacity and are at significant risk of becoming locked into long-term dependencies on suppliers;

9. notes that the proposals contain changes concerning procurement and contracts between purchasers and providers; therefore considers that templates and standard contracts should be used with local, European and global providers; calls for clarity on how contracts with global providers should be handled, and clear guidance on requests from third countries to access data;

10. sees a great need for guidance targeting the changed scope of the GDPR, the Data Act and the AI Act. Municipalities and regions need a unified, operational and legal framework for implementation and application;

11. warns that the proposal to add high-value datasets, which are to be made available free of charge, may affect municipal and regional authorities; asks the European Commission to analyse the financial, competence-related and technical impacts of the effects and benefits of these changes before the proposals are published;

12. sees a need for operational guidelines, templates and structured training programmes targeting local and regional authorities with a view to the implementation of the two Omnibus regulations;

13. considers that the Digital Omnibus (*acquis*) entails a number of important advantages, such as proposals for reduced red tape, possibilities to charge companies for data, and simplified incident handling; however, for the regulations to have full effect, suggests that the EU provide financial support to regional training programmes in order to strengthen specialised technical competencies in data governance, cybersecurity and digital regulatory compliance; notes that there will also be a need for specific training on the use of new digital tools.

Observations on the Digital Omnibus on AI

14. welcomes the Digital Omnibus on AI and its several advantages, aiming to reduce the administrative burden and lower the compliance costs of the AI Act, including reliefs for high-risk AI systems and the establishment of AI sandboxes and test environments. These naturally need to be made available and adapted to subnational conditions;

15. warns that, in order not to inhibit the development of high-risk AI systems, local and regional authorities need support in areas including the implementation of algorithmic auditing, bias analysis, human oversight, assessments of explainability and technical validations. In addition, high thresholds and penalties could have a discouraging effect;

16. considers that additions and new regulations in the AI area should be proportionate in order to avoid delays in the implementation and use of European AI solutions. Regulation should be designed to allow for the development of local initiatives rather than benefitting the large tech companies that already dominate the market;

17. highlights the environmental footprint of AI systems, including energy and water consumption, and stresses the importance of ensuring coherence with existing Union sustainability and reporting frameworks, as well as the availability of appropriate guidance and standards;

18. with a view to addressing funding challenges, reiterates its suggestion to establish an AI fund for regional and local authorities. The purpose of the fund would be to accelerate the implementation of all measures stipulated in the AI Continent Action Plan, and to strengthen AI skills and other necessary capacities among public officials at subnational level;

19. concludes that the ambitions of both the Data Union Strategy and the regulation proposals are positive but a number of issues still need to be adjusted; underscores the risk that parts of the proposals may become counterproductive and have an adverse effect on the pace of development of AI and data access in general; reiterates the significant lack of resources and competencies which could affect municipalities and regions particularly severely;

20. notes that digital policy, digital infrastructure, data management and linked cybersecurity have become substantial aspects of the EU's security and sovereignty. Therefore, the new legislation, which aims to simplify the digital *acquis* and make the EU's bodies, undertakings and citizens more resilient and secure, is a key addition to the EU's security architecture;

21. concludes that the AI Act is not yet fully applicable and that further evidence on its impact on the AI landscape in the EU is needed; points to the ongoing work of the CoR's Network of Regional Hubs (#RegHub) on lessons learnt from the implementation of the AI Act by cities and regions, where experience of LRAs with the application of the AI Act is being collected; underscores the CoR's readiness to systematically contribute to the European Commission's Digital Fitness Check.

Brussels, 7 May 2026.

The President

of the European Committee of the Regions

Kata TÜTTŐ

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