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Understanding the EU Digital Omnibus

The European Commission's proposed Digital Omnibus is the latest attempt to streamline and recalibrate the EU's dense digital regulatory landscape. Rather than introducing new regulations, the Omnibus approach bundles targeted amendments to existing digital and data laws, with the stated aim of reducing regulatory fragmentation, easing compliance burdens, and aligning rules more closely with fast-moving technological developments. In particular, the Digital Omnibus proposes amendments to personal and non-personal data and cybersecurity rules and certain elements of the AI Act. Concerning the former, the initiative reduces fragmentation by anchoring the EU's data regime around two central pillars: the General Data Protection Regulation (GDPR) and the Data Act. Other data-related provisions are either folded into these frameworks or adjusted to remove duplication and uncertainty. The stated objective is to transform regulatory compliance from a cost burden into a strategic advantage for European businesses - while maintaining strong safeguards for fundamental rights, privacy, and trade secrets. The proposal is also explicitly motivated by technological change. Artificial intelligence, cloud computing, and interoperable digital identity tools were far less mature when many existing rules were drafted.

Proposed changes to the GDPR: Simplification at the cost of protection?

One of the most debated elements of the Omnibus concerns targeted changes to the GDPR. The Commission emphasises that the GDPR remains the cornerstone of EU data protection but acknowledges that its application has created legal uncertainty and administrative burdens in certain areas. The first set of changes focuses on clarifying the definition and handling of personal data, particularly in complex datasets. The proposal codifies recent case law from the Court of Justice of the EU, confirming that datasets may be shared

with third parties provided those recipients cannot re-identify individuals.

Importantly, responsibility under the GDPR remains with the original data controller that carried out pseudonymisation. The Commission also reserves the right to update technical standards over time, reflecting evolving re-identification risks and capabilities.

Another major area is the use of personal data for training AI models. The Omnibus clarifies how the GDPR's "legitimate interest" legal basis may apply in this context. The proposal also simplifies certain procedural obligations, including when data protection impact assessments are required and how personal data breaches must be notified to supervisory authorities. The Commission frames these adjustments as burden-reducing measures rather than substantive rollbacks.

Perhaps the most visible change for citizens is the modernisation of cookie consent rules. Acknowledging widespread "cookie banner fatigue," the Omnibus introduces simplified consent mechanisms, including centralised preference settings and one-click choices. The aim is to restore meaningful user control while reducing friction for businesses and media services. Certain low-risk uses - such as aggregated audience measurement - would benefit from clearer exemptions, while enforcement remains firmly anchored in the GDPR's sanctioning framework.

While several of the proposed amendments have been welcomed, particularly those aimed at reducing administrative burden and addressing long-standing issues such as cookie banner fatigue, other elements of the GDPR reform have triggered significant concern.

Criticism has been especially strong regarding the clarification of the definition and treatment of personal data, as well as the framing of lawful bases for using personal data in AI training. Academic experts, civil society organisations, and data protection practitioners argue that these changes risk stretching key GDPR concepts beyond their original intent, potentially weakening principles such as purpose limitation and data minimisation. While the Commission presents these measures as technical clarifications accompanied by safeguards, opponents warn that their cumulative effect may amount to a recalibration of the GDPR's protective balance, prioritising data-driven innovation over robust individual rights protections.

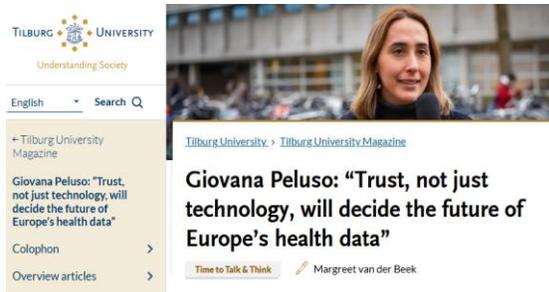
Proposed changes to the Data Act: Lowering Barriers, Boosting Access

Alongside the GDPR, the Digital Omnibus introduces targeted amendments to the Data Act, aimed at improving data access and reducing compliance costs. Several measures are designed to support small and medium-sized enterprises (SMEs) and smaller mid-cap companies.

Notably, the proposal introduces limited exemptions from cloud-switching obligations for SMEs, small mid-caps, and providers of custom-made cloud services, particularly where contracts were signed before the Data Act becomes applicable. This is expected to avoid costly renegotiations and generate substantial one-off savings for eligible providers.

Other changes include removing mandatory registration requirements for data intermediation services, simplifying the data altruism framework to encourage data sharing for public interest purposes, and consolidating rules governing data held by public authorities. The scope of business-to-government data sharing is also narrowed and clarified, ensuring access to critical data in genuine emergencies - such as natural disasters or pandemics - without imposing routine sharing obligations on companies.

At CONSENTIS, we are closely following the evolution of Digital Omnibus and its potential implications. The proposed changes to data rules raise important questions for consent, governance, and trust in data-driven systems. As negotiations progress, we will continue to assess how these developments may affect CONSENTIS project activities and its broader framework, ensuring alignment with both regulatory change and the highest standards of data protection and ethical digital innovation.



Since October, the CONSENTIS project has reached several key milestones in both public engagement and technical development. A primary focus has been the Sister Projects Trialog – LICORICE in October, where the consortium engaged in high-level discussions to map synergies and align research objectives. By sharing expertise and identifying collaborative roadmaps, CONSENTIS and its partners are ensuring a unified approach to addressing the complexities of the European data landscape.

Our mission has also gained significant visibility through academic and public media. In December 2025, CONSENTIS was featured in Tilburg University Magazine, where researcher Giovana Lopez discussed the critical role of dynamic consent and ethical governance in the future of the European Health Data Space (EHDS). This was further complemented by an appearance on the Science Quest Podcast episode, "Who Controls Your Data?", which explored the balance between GDPR compliance and technological innovation—reinforcing our commitment to user-centric data sovereignty.

Finally, on the technical front, the consortium recently held a specialized GDPR Workshop in January. This session focused on the rigorous application of consent requirements and transparency mandates within our framework. These regulatory discussions provide the necessary legal foundation for our ongoing development, ensuring that every technical iteration remains fully compliant with evolving European standards.

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