

## Key Recommendations to the Polish EU Presidency

# Poland's Role in Shaping the EU's Digital Future

Poland holds the Presidency of the Council of the European Union from 1 January to 30 June 2025, leading negotiations on important EU tech and digital files. The Computer & Communications Industry Association (CCIA Europe) respectfully offers these nine key recommendations, and looks forward to supporting the Polish EU Presidency.

## I. Crafting effective tech policy

*In recent years, the EU has enacted numerous tech laws. Yet declining competitiveness and regulatory complexity remain major challenges, especially in the digital sector. The Polish EU Presidency has a unique opportunity to drive structural reforms that streamline tech regulation, strengthen relations with allies, and enhance Europe's competitiveness.*

### Recommendations

1. Deliver a true Digital Single Market and a strong pro-innovation agenda
2. Remove digital trade barriers to boost growth and competitiveness
3. Make EU laws more effective and consistent 'by design'

## II. Ensuring all Europeans benefit from EU laws

*It is fundamental that EU legislation provides legal certainty for businesses and consumers across Europe. Guaranteeing that the EU's legislative corpus is robust requires consistent implementation of already enacted legislation, as well as advancing proposals from the previous mandate that are still pending.*

### Recommendations

4. Ensure harmonised enforcement and implementation
5. Fine-tune pending legislation with industry realities in mind
6. Oppose discriminatory requirements in FiDA and PSR proposals

## III. Fostering innovation, instead of red tape

*With over 70 new tech rules adopted since 2019, Europe's focus should now drastically shift to fostering tech innovation rather than adding regulatory hurdles. Before coming up with any new proposals, EU policymakers first need to evaluate what works and what doesn't.*

### Recommendations

7. Respect the net neutrality principle in the Digital Networks Act
8. Improve enforcement of existing consumer law before introducing new rules
9. Ensure EU legislative framework's consistency with data protection rules

## I. Crafting effective tech policy

*In recent years, the EU has enacted numerous tech laws. Yet declining competitiveness and regulatory complexity remain major challenges, especially in the digital sector. The Polish EU Presidency has a unique opportunity to drive structural reforms that streamline tech regulation, strengthen relations with allies, and enhance Europe's competitiveness.*

### 1. Deliver a true Digital Single Market and a strong pro-innovation agenda

Many national governments inadvertently or deliberately introduce barriers that undermine the Single Market's harmonisation – thereby hindering opportunities, and incentives, for digital firms to scale up across the world's largest single market. To deliver a true Digital Single Market and foster a strong pro-innovation agenda, the EU must **address the growing fragmentation of its internal market**. The EU should effectively reprimand Member States that do not comply with EU laws or decide to gold plate them. Removing these barriers will help companies grow and boost European competitiveness.

In addition, the EU must shift its policy focus from producing more regulation for the sake of it to fostering innovation. Instead of imposing rigid prescriptive laws, policymakers should **outline clear and risk-assessed goals, allowing industry the flexibility to determine the best tools** to meet those objectives. Consumer welfare should continue to be at the forefront of any EU digital laws. The EU must ensure that its digital policies are user-centric, reflecting consumers' evolving needs and preferences, rather than limiting consumer choice through politically motivated rules.

Finally, in order to avoid stifling innovation the EU should resist the urge to regulate emerging technologies prematurely. Instead of drafting new laws for every technological development, the EU should **rely on existing frameworks and regulatory bodies to address ever-changing digital innovation** and occasional concerns or actual challenges. By focusing on consistency and practicality, the EU can create a regulatory environment that supports growth and competition, while avoiding today's regulatory burden that continues to slow down progress and restrict scalability.

### 2. Remove digital trade barriers to boost growth and competitiveness

For Europe to become more competitive, the EU must prioritise keeping its market open to international partners to invest and innovate across Europe. This involves **adopting non-discriminatory rules at home (be it on procurement, security certifications such as EUCS, or other fields)**, modernising trade agreements and forging industrial partnerships with countries that share similar values and high standards.

The emphasis should be less on 'harmonisation' of rules, but rather **'mutual recognition' to optimise resource allocation** for small and large companies alike. By reducing protectionist policies, the EU can attract direct investment and strengthen its global position. Ensuring that domestic and EU-level policies duly consider possible trade implications for key partners is also crucial for maintaining open, cooperative relationships.

Furthermore, **regulatory and policy convergence with like-minded countries is essential** for fostering innovation and reducing trade barriers. The EU should aim for stronger alignment including mutual recognition on regulatory requirements and standards such as cloud computing policies, data protection, cybersecurity, and intellectual property through

bilateral talks and digital trade agreements. Establishing common technical standards and rules will enable the development of scalable global solutions. For example, the EU should continue to advance the EU-US Trade and Technology Council (TTC), focusing on resolving mutual trade barriers and fostering deeper cooperation on emerging technologies.

The EU should **elevate its transatlantic achievements to multilateral forums** like the G7, G20, and WTO – using these platforms to promote rule-based international trade. More engagement is needed with strategic allies such as Australia, Canada, Japan, South Korea, UK, and the US. Building such a broad international tech alliance will allow the EU to stay competitive and ensure it plays a leading role in shaping global digital policies.

### 3. Make EU laws more effective and consistent ‘by design’

In order to ensure that EU laws are effective once adopted and implemented, important work already needs to start at the very beginning of the legislative process. Policymakers must prioritise creating rules that are evidence-based, transparent, and coherent with existing legal frameworks. This approach prevents enacting regulations which create unnecessary burden, which in turn leads to less innovation in Europe. By applying strategic planning, such as impact assessments and SWOT analyses, and considering soft law tools, policymakers can **develop rules that balance oversight with flexibility, thereby fostering a more innovation-friendly environment**.

Another critical recommendation is to **improve legislative scrutiny whenever amendments are made by the European Parliament and the Council of the EU**.

Substantial changes to legislative proposals are often made at this stage of the process, yet without sufficient oversight. EU policymakers should increase transparency, for example, by subjecting all amendments to impact assessments (and not only the Commission’s initial proposal), as well as ensuring consistent objectives across different laws to avoid conflicts and fragmentation of the EU’s legal framework. By doing so, the legislative process will become more robust, leading to laws that are more effective and durable.

Proper implementation and enforcement of laws may not be overlooked either. EU lawmakers should **provide clear timelines for implementation, ensure adequate resources for enforcement**, and evaluate the governance structures of regulators to prevent confusion and inefficiencies. Regular evaluation and open communication with stakeholders are essential to ensure that rules are not only followed, but are also adaptable to the evolving nature of technology and consumer needs. This will lead to more cohesive, forward-thinking legislation, benefiting both the EU’s competitiveness and its consumers.

Lastly, the EU should establish rules that carefully balance the interests of patent holders and implementers, ensuring consistency across Member States. Supporting **balanced regulation of Standard Essential Patents (SEPs)**, as adopted by the European Parliament, is key in this respect. SEPs drive innovation and interoperability within the tech ecosystem – underscoring the need for a fair, transparent, and predictable licensing system.

## II. Ensuring all Europeans benefit from EU laws

*It is fundamental that EU legislation provides legal certainty for businesses and consumers across Europe. Guaranteeing that the EU's legislative corpus is robust requires consistent implementation of already enacted legislation, as well as advancing proposals from the previous mandate that are still pending.*

### 4. Ensure harmonised enforcement and implementation

With [many new pieces of legislation](#) applying to the digital sector adopted in recent years, it is essential to ensure that these are now implemented and enforced in a harmonised way.

**Effective implementation of the AI Act**, in particular, will be crucial for ensuring legal certainty and fostering innovation across Europe. The Polish EU Presidency must make sure that Member States play an active role in this through the AI Board, alongside stronger collaboration with the AI Office and through international standards organisations and global fora. It is also important to clarify **how the AI Act interacts with other EU regulations**, such as the General Data Protection Regulation, in order to encourage broader AI adoption. Lastly, the Code of Practice for general-purpose AI models should remain adaptable and aligned with emerging international standards and approaches.

A similar challenge can be seen with the **Digital Services Act (DSA)**, which came into full effect in February 2024, but still lacks key secondary legislation needed for the companies to comply with it. As of October 2024, delegated acts on the methodology to count users and on data access for researchers, the implementing act defining the transparency report templates and five sets of guidelines explicitly mentioned in the DSA are still missing. No codes of conduct have been adopted either.

What's more, the Commission seems to largely ignore stakeholder input (through public consultations) on acts that were already adopted. While this can be partially explained by the Commission's lack of human and financial means, CCIA Europe hopes that adoption of these key specifications will become the main focus, instead of reopening debates resolved by the DSA. To **ensure smooth and harmonised implementation**, it is essential for the Polish Presidency to encourage swift adoption of missing provisions and Member States appointing their Digital Services Coordinators.

Finally, regarding the **Digital Markets Act (DMA)**: while the European Commission is the primary enforcer, Member States may assist by conducting non-compliance investigations. It is crucial, however, to **ensure that these national investigations do not cause fragmentation of the Single Market or amount to parallel enforcement**. To drive harmonisation, national competition authorities should help monitor private claims and assist the Commission in ensuring consistent DMA application across the EU. We hope the Polish EU Presidency will advocate this coordinated approach among Member States.

### 5. Fine-tune pending legislation with industry realities in mind

**Several legislative proposals from the 2019-2024 mandate still remain pending**, including rules to prevent child sexual abuse (**CSA Regulation**), the **AI Liability Directive (AILD)**, and **General Data Protection Regulation (GDPR) enforcement** improvements.

With regard to the CSA Regulation, CCIA Europe and its Members are deeply committed to combating child sexual abuse. Yet, at the same time we strongly believe in maintaining a careful balance between protecting children and fundamental rights. The **CSA Regulation must thus respect the EU's ban on general monitoring and reject privacy-invasive scanning affecting all users**, not just minors. It is also crucial to explicitly rule out any weakening of encryption, including end-to-end, in order to respect the right to privacy.

Following adoption of the AI Act and Product Liability Directive – which, respectively, address AI development and introduce strict liability for defective products – the (pending) **proposal for an AI Liability Directive risks unnecessarily complicating the European AI ecosystem**. For the sake of maintaining competitiveness and fostering innovation, emphasis should be put on implementing existing rules rather than introducing new burdens.

The **proposal to enhance GDPR enforcement** presents an opportunity to address current [shortcomings](#). Nevertheless, co-legislators' suggestions that would severely undermine the one-stop-shop mechanism – one of the main innovations introduced by the GDPR – will likely create confusion and complicate already lengthy investigations. Additionally, introducing an adversarial process where both parties are treated equally overlooks the greater repercussions faced by those under investigation. Hence, the **focus should be on streamlining cross-border complaints, rather than adding red tape**.

## 6. Oppose discriminatory requirements in FiDA and PSR proposals

The European Commission's proposal for a Financial Data Access (FiDA) Regulation is ambitious and could benefit the European economy by enhancing consumer choice, incentivising innovation, and creating a level playing field. However, any **discriminatory or asymmetric restrictions on access to data run against the Regulation's objectives** and would have a detrimental effect on consumers and fair competition.

We strongly **advise against introducing discriminatory provisions for companies designated as 'gatekeepers' under the DMA** in a completely different sector such as banking. This will only further cement incumbent banks' privileged position with respect to financial information, limit incentives to innovate in this sector, and prevent consumers from accessing better financial products and services.

Moreover, CCIA Europe welcomes the **Payment Services Regulation's (PSR) objective of bringing payments and the wider financial sector into the digital age**. The modernisation of EU payment rules, and the choice of a regulation as the legal instrument, give the PSR the potential to truly foster innovation and harmonisation across the EU. However, we strongly **advise against automatic liability allocation** for impersonation fraud.

Instead, we believe that a **whole-of-society approach is needed to address fraud and scams**, and think that fraud prevention and detection can only work if all relevant parties – including banks, payment service providers, telecommunication companies, and online platforms – work together. Customer education, voluntary data sharing, and collaboration are other critical avenues to explore to combat and mitigate fraud.

### III. Fostering innovation, instead of red tape

*With over 70 new tech rules adopted since 2019, Europe's focus should now drastically shift to fostering tech innovation rather than adding regulatory hurdles. Before coming up with any new proposals, EU policymakers first need to evaluate the EU's overarching policy posture and candidly and openly assess what works and what doesn't.*

#### 7. Respect the net neutrality principle in the Digital Networks Act

After more than two years of debate and multiple public consultations, in 2025 the European Commission may move forward with a **Digital Networks Act (DNA)**, based on scenarios outlined in the earlier white paper on Europe's digital infrastructure needs. The stated objective of the DNA is to achieve the 2030 Digital Decade targets, with a particular focus on ensuring better connectivity. While connectivity is important, **Europe's real challenge lies in promoting the uptake of digital solutions** – particularly the digitalisation of businesses through cloud services and artificial intelligence, which currently is lacking.

Depending on its final content, however, the **DNA risks undermining the key principle of net neutrality, raising costs for cloud service providers unjustifiably, stifling innovation, and increasing consumer prices.** All of which, in turn, would undermine the EU's digital competitiveness and actual capacity to reach its 2030 targets.

Before proceeding with any of the scenarios presented in the white paper, the Commission should take a step back to reassess what actual challenges it seeks to address – be it related to industrial policy or connectivity. Should the Commission proceed with the Digital Networks Act, the Polish EU Presidency should **make sure there is no regulatory intervention in markets or technology ecosystems which display no market failure.**

The Presidency should call for clarity on the actual goals and problems such legislation may seek to address, and ensure the principles of net neutrality and fair competition are upheld. It should **shift focus toward the real issues of network infrastructure rollout**, related to lengthy and burdensome administrative procedures, and launch a debate on achieving the 2030 digital targets in a more cost-effective manner.

#### 8. Improve enforcement of existing consumer law before introducing new rules

Over the past two years, the European Commission conducted a fitness check to assess the 'digital fairness' of EU consumer law. Published in October 2024, the subsequent report focuses on deceptive design, personalisation (including online advertising), influencer marketing, addictive design, and contract cancellation. However, these **alleged 'gaps' in EU consumer protection law were already largely tackled by recently adopted digital laws**, such as the **DSA, DMA, PLD, GPSR, and AI Act** to name a few.

More time should be taken to implement and evaluate these existing rules before adding another layer, which could result in duplication and contradictions. And that would ultimately make EU law more uncertain and complex for businesses of any size. In fact, the only clear gap identified in EU consumer law is the need to improve its enforcement. The **revision of the Consumer Protection Cooperation Regulation (CPC) should be accelerated**, so that consumers can benefit from the strong protections and rights provided by consumer protection laws.



That's also why the **Digital Fairness Act already tabled by the European Commission should be postponed until policymakers have a clear picture** of the results of the recently introduced EU digital and tech framework and improved enforcement of EU consumer law.

Finally, the Polish EU Presidency should ask the Commission for real-life coherence between its commitments to make the EU more competitive and simplify regulation, on the one hand, and its sudden haste to propose an overhaul of EU consumer protection law, on the other hand. **What is legal offline should remain legal offline if the EU wants to be more competitive.**

### 9. Ensure EU legislative framework's consistency with data protection rules

With many new tech rules having been adopted in the past years, it is fundamental to make sure that consistency is maintained across the EU's legislative framework. In particular, the current data protection **framework set out by the General Data Protection Regulation (GDPR) should be respected**, to avoid creating a patchwork of conflicting rules.

This privacy scheme was designed to be flexible and adaptable to new technological developments. In this context, it will be important to **prevent overly stringent interpretations of the data protection and privacy framework**, as that would ultimately lead to legal uncertainty and hamper innovation at large – negatively affecting both businesses and consumers.

Furthermore, when implementing newly enacted rules, EU policymakers and affiliated independent bodies should **avoid deviating from the overarching data protection rules when issuing secondary legislation or guidance.**

## About CCIA Europe

The Computer & Communications Industry Association (CCIA) is an international, not-for-profit association representing a broad cross section of computer, communications, and internet industry firms.

As an advocate for a thriving European digital economy, CCIA Europe has been actively contributing to EU policy making since 2009. CCIA's Brussels-based team seeks to improve understanding of our industry and share the tech sector's collective expertise, with a view to fostering balanced and well-informed policy making in Europe.

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