

Position Paper on the European Commission's Digital Omnibus on AI

Simplifying AI rules for a competitive Europe

January 2026

The Computer & Communications Industry Association (CCIA Europe) welcomes the European Commission's proposal for a Digital Omnibus on AI (AI Omnibus), which introduces targeted simplification measures to the AI Act. To ensure this initiative actually delivers a meaningful reduction in regulatory burdens and creates the right conditions for Europe to position itself as an AI continent, the Association offers the following recommendations.

I. Setting realistic implementation deadlines

The AI Act's successful implementation hinges largely on the introduction of more realistic compliance deadlines. While the AI Omnibus proposal makes a first step in this direction, its provisions require further refinement to provide businesses with genuine legal certainty.

Recommendations:

1. Set fixed application dates for the respective high-risk AI rules
2. Extend the application deadline for all relevant Article 50 transparency provisions

II. Streamlining enforcement while ensuring flexibility

Efficient enforcement structures are essential. While centralising enforcement of certain AI Act provisions within the AI Office is a welcome step, greater flexibility is needed to avoid deadlocks. Cooperation between the various national market surveillance authorities (MSAs) should also be strengthened.

Recommendations:

3. Increase flexibility for conformity assessments and clarify AI Office enforcement
4. Strengthen cooperation between MSAs through mutual recognition of decisions
5. Promote accountability by introducing a clear regulatory mandate for innovation

III. Delivering robust and ambitious simplification

Simplification must be pursued with ambition. Expanding the legal basis for bias mitigation and introducing flexible AI literacy requirements are welcome steps. Yet more is needed to reduce overlaps, prevent asymmetric rules, and improve technical feasibility.

Recommendations:

6. Maintain key improvements to AI literacy and bias mitigation
7. Adopt targeted amendments to reduce overlaps and improve technical feasibility
8. Extend SME/SMC exemptions to all companies to prevent unjustified asymmetry

Introduction

The European Commission's proposal for a Digital Omnibus on AI (AI Omnibus)¹ represents a welcome first step towards establishing a regulatory environment that stimulates AI innovation and enhances competitiveness in the European Union. The proposal correctly acknowledges the necessity of easing the regulatory burden on businesses through targeted amendments to the AI Act².

First, regarding implementation deadlines: The AI Omnibus extends some of the compliance deadlines set out in the AI Act, which are currently scheduled to take effect in August 2026. Realistic and implementable deadlines are indeed fundamental to the Act's success. However, the proposed extensions need to be further improved to provide meaningful legal certainty to businesses.

Given the approaching August 2026 deadline and the urgent need for clarity, we urge EU co-legislators to fast-track an agreement on these extended deadlines and focus strictly on targeted improvements. Should negotiations stall as the deadline approaches, we invite the Commission to decouple discussions on the timeline extensions from those requiring in-depth deliberations and present them as a separate proposal.

Second, regarding enforcement: The AI Omnibus streamlines enforcement structures by centralising the enforcement of certain AI Act provision within the AI Office, which is a welcome development. However, greater flexibility is needed to allow relevant AI providers to select accredited conformity assessors other than the AI Office to avoid potential deadlocks. Moreover, cooperation between the various market surveillance authorities (MSAs) at the national level must be further strengthened by requiring MSAs to mutually recognise their decisions.

Last but not least, the AI Omnibus presents an important and timely opportunity to simplify the AI Act with ambition. While the expansion of the legal basis for bias mitigation and the introduction of more flexible AI literacy requirements are welcome steps, further measures are necessary to reduce overlaps, prevent asymmetric rules, and improve technical feasibility.

Against this background, CCIA Europe offers eight recommendations organised under three thematic pillars:

- I. Setting realistic implementation deadlines
- II. Streamlining enforcement while ensuring flexibility
- III. Delivering robust and ambitious simplification

¹ European Commission, Proposal for a regulation as regards the simplification of the implementation of harmonised rules on artificial intelligence (Digital Omnibus on AI), 19 November 2025, accessible at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:52025PC0836>.

² Regulation (EU) 2024/1689 of 13 June 2024 laying down harmonised rules on artificial intelligence, accessible at: https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=OJ:L_202401689.

I. Setting realistic implementation deadlines

The AI Act's successful implementation hinges largely on the introduction of more realistic compliance deadlines. While the AI Omnibus proposal makes a first step in this direction, its provisions require further refinement to provide businesses with genuine legal certainty.

1. Set fixed application dates for the respective high-risk AI rules

Introducing realistic and implementable deadlines is fundamental to the successful implementation of the Act, and the AI Omnibus makes steps in this direction.

Article 1(31) of the AI Omnibus sets new deadlines for the application of the obligations for high-risk AI systems; namely 2 December 2027 for AI systems classified as high-risk under Annex III and 2 August 2028 for systems in scope of Annex I. These improvements can be welcomed and also reflect the significant delays in delivery of relevant technical standards that are needed for compliance.

However, the AI Omnibus provision introduces a complex and arbitrary mechanism allowing the Commission to shorten compliance deadlines to only six months after a Commission decision for AI systems in the scope of Annex III, which is too short and does not reflect business realities, and to 12 months for systems in scope of Annex I of the AI Act. The proposed (variable) mechanism creates considerable legal uncertainty for businesses.

To achieve truly meaningful simplification, we urge the co-legislators to remove the 'decision mechanism' and instead set fixed deadlines for the entry into application of the obligations for AI systems classifying as high-risk under Annex III and Annex I, respectively. The proposed deadlines of 2 December 2027 and 2 August 2028 are appropriate. To increase legal certainty, it must be clarified that the extended deadlines apply to all high-risk AI systems placed on the market before the extended deadlines apply.

2. Extend the application deadline for all relevant Article 50 transparency provisions

Article 1(30) of the AI Omnibus introduces a limited grace period of only six months for providers of generative AI systems placed on the market before the entry into force of Article 50 of the AI Act on 2 August 2026. This only applies to Article 50(2), requiring providers of such systems to ensure that AI-generated content is marked and detectable.

This provision is too narrow and does not reflect the challenges of the implementation of Article 50. It is important to note that a Code of Practice further specifying the provisions enshrined in Article 50(2) and (4) is currently being drafted and the final text is only expected to become available shortly before the rules' entry into application. The Code of Practice will be accompanied by AI Office guidelines on Article 50, which will be published around the same time as the Code. This extremely tight compliance window could put potential signatories of the Code of Practice in a difficult position, as ample time will be needed to implement the Code's measures.

We therefore urge the co-legislators to extend the grace period to 12 months instead of six months, and to extend its scope to all AI systems, whether new or already on the market.

Moreover, the scope of the grace period should closely align with the scope of the Code of Practice and therefore encompass both the Article 50(2) and Article 50(4) requirements. It must be further clarified that the extended deadlines should apply to any AI system launched before the extended deadlines take effect.

II. Streamlining enforcement while ensuring flexibility

Efficient enforcement structures are essential. While centralising enforcement of certain AI Act provisions within the AI Office is a welcome step, greater flexibility is needed to avoid deadlocks. Cooperation between the various national market surveillance authorities (MSAs) should also be strengthened.

3. Increase flexibility for conformity assessments and clarify AI Office enforcement

The measures proposed in the AI Omnibus to streamline the enforcement of the AI Act are welcome but need to be designed carefully to avoid unintended consequences.

Article 1(25) of the AI Omnibus centralises within the AI Office the enforcement of rules for AI systems based on a general-purpose AI (GPAI) model, where both the model and system are developed by the same provider. The same applies to AI systems constituting or being integrated into very large online platforms or search engines in the meaning of the Digital Services Act (DSA)³.

These improvements can be welcomed and will contribute to the consistent enforcement of rules across the Single Market. However, further clarifications are needed to ensure that EU-level enforcement fully aligns with national enforcement. Furthermore, the enforcement of high-risk AI systems in scope of Annex I must remain under the competence of competent authorities that have the necessary expertise.

Article 1(25) of the AI Omnibus empowers the European Commission to carry out pre-market conformity assessments and tests for AI systems referred to above that are subject to third-party conformity assessments under Article 43 of the AI Act. In order to avoid potential deadlocks and inconsistencies, more flexibility is needed to allow providers to select different EU or national conformity assessment bodies. This fundamental improvement needs to be combined with robust quality and independence standards applicable to the Commission as a conformity assessor, in line with EU law.

4. Strengthen cooperation between MSAs through mutual recognition of decisions

Article 1(26) of the AI Omnibus improves the cooperation between MSAs under the AI Act, including by mandating close cooperation and mutual assistance where necessary.

However, more is needed to improve the AI Act's enforcement structure and ensure uniform interpretation of EU law. In particular, we recommend introducing a mutual

³ Regulation (EU) 2022/2065 of 19 October 2022 on a Single Market For Digital Services, accessible at: <https://eur-lex.europa.eu/eli/reg/2022/2065/oj/eng>

recognition mechanism for decisions by MSAs. This would further strengthen cooperation and improve consistency across the Single Market.

5. Promote accountability by introducing a clear regulatory mandate for innovation

While some of the AI Omnibus provisions aim to improve the enforcement structure of the AI Act, more is needed to improve the mandates of EU and national regulators and to enhance their accountability. The introduction of a clear innovation mandate for regulators would improve regulatory outcomes, further balance interpretations, and increase the accountability of regulators.

The AI Omnibus provides an opportunity to clearly enshrine in law that promoting innovation is a key part of regulators' mandate, not just a secondary concern.

III. Delivering robust and ambitious simplification

Simplification must be pursued with ambition. Expanding the legal basis for bias mitigation and introducing flexible AI literacy requirements are welcome steps. Yet more is needed to reduce overlaps, prevent asymmetric rules, and improve technical feasibility.

6. Maintain key improvements to AI literacy and bias mitigation

The AI Omnibus introduces a number of important improvements that need to be maintained. In particular, Article 1(5) of the AI Omnibus introducing a new Article 4a in the AI Act – providing a legal basis for providers and deployers of all AI systems and models to process special categories of personal data for ensuring bias detection and correction, instead of only high-risk AI systems – is fundamental. The initial limitation of bias mitigation to high-risk AI systems in the AI Act is structurally flawed and disregards that identifying and correcting potentially discriminatory patterns cannot be achieved without special categories of data. We therefore urge the co-legislators to maintain this provision, which is key to achieve the AI Act's objective of preventing harm.

Moreover, Article 1(4) of the AI Omnibus now requires the Commission and Member States to foster AI literacy instead of enforcing unspecified obligations on providers and deployers of AI systems, which is a welcome improvement. It is important to note that training obligations for deployers of high-risk AI systems remain. This improvement reflects broad industry and stakeholder feedback on the matter and will reduce the compliance burden on companies. We call on the co-legislators to maintain this amendment in the final text.

7. Adopt targeted amendments to reduce overlaps and improve technical feasibility

While the AI Omnibus contains relevant improvements, more is needed to reduce overlaps between the AI Act and other EU regulations, as well as to ensure that the AI Act's rules are technically workable. This can be achieved by way of targeted amendments to the proposed AI Omnibus.

First, the overlap between Data Protection Impact Assessments in the General Data Protection Regulation (GDPR)⁴ and Fundamental Rights Impact Assessments (FRIAs) under the AI Act creates a duplicate burden that could be easily solved in the AI Omnibus. While Article 27(4) of the AI Act allows for such alignment, it risks creating divergent interpretations across the EU. We therefore recommend reducing duplication by allowing providers to determine whether their DPIAs meet the requirements for FRIAs.

Second, we recommend clarifying that compliance with the Cyber Resilience Act (CRA)⁵ constitutes compliance with Article 15 of the AI Act. This would considerably reduce duplication and improve legal certainty. Moreover, in order to align cybersecurity incident reporting with the proposal for a Digital Omnibus⁶, we recommend a unified platform for incident reporting with automated distribution to relevant authorities. This would further improve consistency and reduce the regulatory burden on businesses.

Third, we recommend postponing the application of the obligation for providers of generative AI systems to mark AI-generated text content in Article 50(2) of the AI Act until effective technical solutions exist. Marking this kind of content currently presents tremendous technical challenges and research in this field remains nascent. In any instance, AI-generated code must be explicitly exempted from this requirement, due to the significant risks to the integrity and functionality of code.

Fourth, the AI and Digital Omnibus proposals offer the opportunity to clarify misalignments between the AI Act, GDPR, and the Platform Work Directive (PWD)⁷. The definition of ‘automated systems’ in the AI Act and PWD should be aligned with the GDPR definition. The same applies to the definition of ‘biometric data’ in the AI Act, which needs to be aligned with and directly refer to the GDPR definition.

Finally, it is key to avoid classifying low-risk applications as high-risk, such as chatbots able to parse facial expressions in images. The AI Omnibus presents the opportunity to clarify that subparagraphs (a)-(d) of Article 6(3) constitute a non-exhaustive list of systems exempted from the obligations if providers are able to demonstrate that their AI system does not pose a significant risk of harm to the health, safety, or fundamental rights of natural persons. These systems would nevertheless remain subject to other AI Act obligations, including those set out in Article 50 of the AI Act.

⁴ Regulation (EU) 2016/679 of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, accessible at: <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32016R0679>.

⁵ Regulation (EU) 2024/2847 of 23 October 2024 on horizontal cybersecurity requirements for products with digital elements, accessible at: https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=OJ:L_202402847.

⁶ European Commission, Proposal for a regulation as regards the simplification of the digital legislative framework, 19 November 2025, accessible at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:52025PC0837>.

⁷ Directive (EU) 2024/2831 of 23 October 2024 on improving working conditions in platform work, available at: <https://eur-lex.europa.eu/eli/dir/2024/2831/0j/eng>.

8. Extend SME/SMC exemptions to all companies to prevent unjustified asymmetry

Several provisions of the AI Omnibus extend regulatory privileges afforded to SMEs to small mid-caps (SMCs), notably simplified technical documentation requirements (Article 1(8) of the AI Omnibus), simplified quality management systems (Article 1(9) and (21) of the AI Omnibus), and adapted penalties (Article 1(29) of the AI Omnibus).

As a product safety regulation following a risk-based approach, the AI Act should leave no room for arbitrary limitations. The risk of harm of a given AI system is not determined by the size of its provider, but by its nature and use cases during deployment. Using company size as a proxy for risk is deeply flawed and discriminatory.

We therefore call on the co-legislators to avoid the asymmetric application of the AI Act by effectively extending these measures to all companies, not only SMEs and SMCs.

Conclusion

The AI Omnibus presents a key opportunity to ease the regulatory burden on European businesses, thereby boosting AI innovation and competitiveness.

Improvements are needed to ensure that the Omnibus genuinely delivers on its objectives. This includes simplifying compliance by setting realistic deadlines, streamlining enforcement while ensuring flexibility, and achieving robust simplification through ambitious measures.

Most importantly, time is of the essence to ensure the Omnibus is adopted well ahead of August 2026. We call on the co-legislators to prioritise agreement on the extended deadlines, and invite the Commission to decouple discussions on extending the deadline from those issues requiring more in-depth deliberations, by presenting a separate proposal should discussions drag on.

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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