



Council of the European Union
General Secretariat

**Interinstitutional files:
2025/0360 (COD)**

Brussels, 09 July 2026

WK 10233/2026 INIT

LIMITE

**SIMPL
ANTICI
DATAPROTECT
CYBER**

**TELECOM
CODEC
PROCIV
COMPET
MI**

This is a paper intended for a specific community of recipients. Handling and further distribution are under the sole responsibility of community members.

WORKING DOCUMENT

From:	General Secretariat of the Council
To:	Antici Group (Simplification)
Subject:	Omnibus VII (Digital): Presidency Discussion Note

Delegations will find enclosed a Discussion Note by the Presidency for the Antici Group (Simplification) meeting on 16 July 2026 on Omnibus VII (Digital Omnibus).

 Discussion Note

Antici Group on Simplification



Omnibus VII (Digital)

16 July 2026





Discussion Note

In view of the meeting of the Antici subgroup on Simplification (AGS) of 16 July 2026, this discussion note aims to provide a basis for further exchanges between delegations on the Omnibus VII (Digital Omnibus) proposal.

The Irish Presidency is committed to driving forward work on this proposal in line with the targets set out in the One Europe, One Market Roadmap. Success will require all Member States and each Institution to work purposefully together in a spirit of cooperation and compromise. In line with the guidance from the European Council, it is essential that we keep up the momentum and retain a strategic and targeted approach to ensure simplification can deliver on its core objective to reduce the administrative burden for businesses, in particular SMEs, and support the EU's long-term competitiveness while maintaining established policy goals.

The Irish Presidency intends to build upon the significant progress made under the Cyprus Presidency, taking the revised compromise text ST 10677 2026 issued on 18 June 2026 as the reference document to pursue further discussions (issued following the last AGS meeting dedicated to the Digital Omnibus proposal, and hereinafter the 'compromise text').

The Presidency believes it is important to collect the views of the Member States on key outstanding issues before developing a revised compromise text. In this context, the Presidency notes that some delegations expressed the need to further discuss, in particular, the provisions related to the GDPR with a view to increasing the level of ambition to deliver concrete simplification benefits for businesses. It is noted that delegations have also expressed the need to maintain the balance between simplification measures and the level of protection for both individuals and organisations.

The Presidency considers it relevant to focus, in the first instance, on those provisions amending the GDPR and the ePrivacy Directive and invites delegations to discuss the specific questions raised in this discussion note.

While it is the objective of the Presidency to maintain momentum in the pace of work, with a view to swiftly reaching consensus on this proposal, delegations will also be given further opportunities to share their views on other provisions of the Digital Omnibus at a later stage.

1. Application of pseudonymisation and identification of a natural person

Discussions on the Commission proposal to amend the definition of personal data as laid down under the GDPR have led to the development of a compromise text focusing instead on the application of pseudonymisation and the identification of a natural person in a dedicated article (Article 29a), further reflecting on case law developments on this matter.

The Presidency considers that discussions on this provision should continue with the objective of ensuring clarity and legal certainty, and delivering concrete simplification for organisations applying pseudonymisation techniques.

- Delegations are invited to express their position on the proposed new Article 29a, as currently included in the compromise text, and are invited to share any further views on how to achieve meaningful simplification and legal certainty on this issue.



2. Processing in the context of the development and operation of artificial intelligence

The Presidency notes that in-depth discussions have already been held, leading to the development of updated text concerning the provisions related to the processing of personal data in the context of the development and operation of AI.

The current compromise text notably includes a new recital 33a, replacing the new Article 88c proposed by the Commission, confirming that processing of personal data in the context of the development and deployment of an AI system or of an AI model may be regarded, in certain cases, as carried out for a legitimate interest of a controller, in accordance with Article 6(1)(f) of the GDPR.

- Delegations are invited to share their views as to whether the current compromise text offers a sufficient level of legal certainty for organisations developing and operating AI systems.
- Delegations are also invited to share their positions and possible proposals on provisions that could facilitate data controller compliance in the context of the development and operation of AI.

3. Facilitating compliance and alleviating regulatory burden

The Commission proposal and the current compromise text include a series of provisions focusing on obligations incumbent on controllers with a view to facilitating compliance and reducing the current regulatory burden, including harmonised lists and dedicated templates related to specific obligations, as well as provisions clarifying what constitutes an excessive request within the context of data subject rights, and exemptions from transparency obligations. Other provisions facilitate the processing of certain categories of personal data, including biometric data.

The Presidency notes that, following discussions in the AGS, further measures facilitating compliance and alleviating regulatory burden have been introduced in the compromise text, such as the proposed amendment to Article 37 of the GDPR removing the obligation to notify the contact details of the Data Protection Officer to the national supervisory authority.

- Delegations are invited to share their views on the provisions aimed at alleviating the regulatory burden on controllers or processors, and to express their position on the provisions aimed at facilitating compliance by controllers.

4. Exemptions from the consent requirement under the ePrivacy Directive

In line with the COREPER guidance for further work, the compromise text does not include the proposed new Article 88b on centralised and automated consent for cookies. In addition, based on previous discussions in the AGS and the positions expressed by delegations, the rules on cookies and the exemptions from the consent requirement for the placing of cookies on a user's device are currently placed under Article 5(3) of the ePrivacy Directive.

The compromise text provides for an extended 'white list' of purposes for which consent would not be required for the storing of or gaining access to information in the terminal equipment of a user.



- Delegations are invited to express their views on the approach of the compromise text in relation to cookies, in particular the current 'whitelist' of exemptions and the proposed wording of each purpose included in this list.

PUBLIC



ÉIRE2026.EU
IRELAND2026.EU

Uachtaránacht na hÉireann ar
Chomhairle an Aontais Eorpaigh 2026
Irish Presidency of the Council of
the European Union 2026