



# **B9+ Statement to D9+ Ministers' meeting in Luxembourg**

*8 June 2026*



## 1. Introduction

This paper sets out the perspectives of the B9+ Business Federations<sup>1</sup> on key priorities for Europe's digital agenda.

With geopolitics becoming more volatile, technologies evolving at unprecedented speed, and global competition intensifying—particularly in light of Europe's technology gap<sup>2</sup>— a number of urgent priorities for strengthening EU competitiveness emerge.<sup>3</sup> These include simplifying and harmonising regulation, accelerating digitalisation across industry of all sizes, infrastructure, public services, and advancing key technologies.

In this context, the B9+ envisions a Digital Europe that can access and safeguard the economic benefits of digital transformation, which requires a strong and effective internal market, openness to international cooperation and trade, and a clear focus on competitiveness and resilience. This means creating strong business conditions and building digital capacities across Europe, enabling companies to connect, innovate and trade.<sup>4</sup> In our view, this ambition can be achieved by building on our recommendations on competitiveness and simplification, both in the context of the Digital Omnibus and beyond, as well as on AI adoption and implementation, while taking a smart approach<sup>5</sup> to digital sovereignty.

The B9+ values the ongoing engagement with D9+ ministers and the opportunity for regular exchange. This dialogue is important to ensure that EU digital policies remain practical, effective, and aligned with economic realities.

## 2. Competitiveness and simplification

### a) Digital Omnibus: a necessary first step, but more to do

Over the past years, the EU has built an extensive regulatory framework for the digital economy. While there are legitimate objectives, which we support, their combined effect has created a complex and fragmented implementation landscape that increasingly constrains companies' ability to innovate, scale, invest and compete globally. This is compounded by significant administrative costs, legal uncertainty and compliance challenges for all companies. It presents a competitiveness challenge that is largely within Europe's control and can be addressed through decisive policy action.

The B9+ therefore strongly welcomes the EU's digital simplification ambitions and sees the digital simplification package as an important first step towards simplification, coherence, and legal certainty. But there is more to be done.

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<sup>1</sup> The D9+ is a Ministerial forum of likeminded and digitally progressive EU Member States. The B9+ Group is a grass-roots coalition of the main national business confederations of 12 D9+ Member States: CEOE (Spain), VBO-FEB (Belgium), SPCR (Czech Republic), DI (Denmark), EE (Estonia), EK (Finland), Ibec (Ireland), FEDIL (Luxembourg), VNO-NCW (Netherlands), LEWIATAN (Poland), CIP (Portugal) and Confederation of Swedish Enterprise (Sweden).

<sup>2</sup> [European Commission State of the Digital Decade 2025 report](#) and [Draghi report on EU competitiveness](#)

<sup>3</sup> As highlighted by D9+ ministers in the D9+ Lisbon Declaration (October 2025), in the 2025 State of the Union address by President Ursula von der Leyen, and in Professor Mario Draghi's keynote speech at the high-level conference on competitiveness held one year after the Draghi Report (September 2025).

<sup>4</sup> B9+ papers: [B9+ recommendations for further improvements to the AI Omnibus and the Digital Omnibus](#), (March 2026) and [B9+ statement on recent Council developments concerning the Digital Omnibus and targeted GDPR amendments](#) (March, 2026).

<sup>5</sup> This means being open to further international co-operation and trade with likeminded partners, while encouraging capacities across Europe, so Europe can access and safeguard the economic benefits of further digital transformation. See BusinessEurope 2020, [Smart technological sovereignty: how it could support EU competitiveness](#) and BusinessEurope (2024) [Business views on a European economic security strategy](#).

The B9+ welcomes the political agreement reached on the AI Omnibus proposal as a first step but regrets the missed opportunity to improve the AI Act with all of the much needed simplification measures proposed by lawmakers.

Regarding the Digital Omnibus,<sup>6</sup> we note with concern the current direction of discussions within the Council, as real simplification measures are being stripped out of the Commission's proposal while new regulatory burdens are added. This direction does not align with our longstanding call for improving the coherence, clarity and proportionality of the digital rulebook, nor does it adequately reflect the stated level of political ambition required to deliver real simplification for businesses, in line with the ambition of the Draghi and Letta reports, endorsed by the European Council.

We therefore insist that any simplification measures from the Commission proposal - capable of reducing unnecessary burdens on European companies and strengthening Europe's digital competitiveness - should be supported, especially regarding the GDPR.<sup>7</sup> No new proposals that negatively affect industry should be added without a comprehensive economic impact assessment. Beyond legislative simplification, Europe should strengthen the Digital Single Market and expand opportunities for European companies while maintaining openness to international trade and cooperation and enabling European companies to benefit from global value chains. It should also reduce fragmentation, which continues to limit companies' ability to scale across the EU.

The forthcoming Digital Fitness Check is crucial to identify and address remaining inconsistencies, overlaps, and unintended burdens across the EU digital rulebook, including those resulting from silo-based rulemaking at EU level, the trilogue "black box" phase and its outcomes, and divergent and inconsistent implementation and enforcement mechanisms across the Union.

As outlined in the B9+ March 2026 position paper<sup>8</sup>, key priorities include:

- Reducing overlaps, inconsistencies and fragmentation across EU digital rulebook
- Applying a genuinely risk-based approach, particularly in data protection (GDPR), to enable the use of low-risk and pseudonymised data. As to AI development and training, greater legal certainty for the use of personal and pseudonymised data should be provided, while maintaining high standards of protection.
- Improving the Data Act, notably by protecting trade secrets, clarifying obligations, and aligning with GDPR, and ensuring that the framework is legally certain, proportionate and operationally workable in practice.
- Removing proposals for new centralised consent mechanisms (proposed Article 88b (corresponding to Articles 3.15 of the Digital Omnibus), instead focusing on simplifying requirements and excessive reliance on consent (consent fatigue) by extending the list of operational processing activities that should not require consent and focusing on high-risk and highly sensitive use cases. The approach to online consent should remain proportionate, practical, and risk-based. In addition, ensuring that all legal grounds of the GDPR for processing of personal data from terminal equipment are applicable (Articles 88a) this is for instance relevant in situations concerning employer-employee authority relationship where consent cannot be used as legal ground but possibilities to counter fraud and espionage should be possible.

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<sup>6</sup> BusinessEurope [Open Letter "Europe pioneered digital regulation. Now it is time to pioneer regulatory maturity"](#) (May 2026)

<sup>7</sup> [B9+ statement on recent Council developments concerning the Digital Omnibus and targeted GDPR amendments](#) (March, 2026)

<sup>8</sup> see B9+ papers, [B9+ recommendations for further improvements to the AI Omnibus and the Digital Omnibus](#), (March 2026) and B9+ statement on recent Council developments concerning the Digital Omnibus and targeted GDPR amendments (March 2026).

- Simplifying cybersecurity and data breach reporting through single-entry national portals, full regulatory coherence in underlying reporting requirements in directives and regulations, and EU-wide interoperability.
- Ensuring practical AI regulation by aligning obligations with real risks and reducing unnecessary administrative burdens, and addressing overlapping requirements and double regulation.
- Addressing divergences in national implementation, guidance and enforcement, which risk undermining legal certainty and increasing compliance costs within the Single Market.

The Digital Omnibus proposals are a necessary and promising first step, but only the beginning of a continuous simplification effort. Its success will depend on effective implementation and sustained political commitment to prioritising competitiveness, simplifying and streamlining existing rules, and avoiding the addition of new complexity as well as refraining from introducing new regulatory obligations until the existing framework has been properly implemented, assessed and shown to function effectively in practice.

## b) Post-Omnibus vision for a Digital Europe

Building on the momentum of the Digital Simplification package, a broader rethink is needed on how Europe designs and applies regulation. The EU digital framework should be guided by “**simplification by design**,” embedding simplicity, coherence, and ease of implementation and enforcement from the outset, thereby avoiding unnecessary complexity, duplication, and administrative burden. This calls for a more forward-looking and balanced risk-based approach to policymaking—one that reduces complexity while enabling businesses to innovate, invest, and operate seamlessly across borders.

At the same time, maintaining a high level of citizen and consumer protection, including for minors, is a core priority in the digital transition. This should be achieved through a harmonized, risk-based EU-wide approach preventing fragmentation and supporting robust age assurance, targeted at specific risks to children and leveraging the powers under DSA. Guidance should provide the same standards for minors in all EU Member States and prevent fragmentation within the Digital Single Market. Enable flexibility in methods to achieve agreed standards.<sup>9</sup>

To achieve this, the B9+ calls on policy makers to:

- **Prioritise the effective implementation, evaluation and enforcement of the existing framework before introducing new legislative initiatives:** apply a high threshold to new EU rules, ensuring legislation is introduced only where the existing framework has been properly implemented, assessed and shown not to function effectively in practice. Any new legislation should be clearly necessary, limited to identified gaps and based on robust evidence, ensuring that it delivers tangible added value while minimising burdens on companies, with priority given to making the existing framework work effectively in practice. This includes, for example, the NIS2 Directive and the upcoming proposal of the Digital Fairness Act (DFA). Notably, the DFA will address dark patterns and addictive design features of online services. Both issues are already well covered by existing EU laws (DSA, DMA, AI Act, UCPD) and there is therefore no need for new legislation, but rather a focus on better guidance and more effective enforcement of existing rules.

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<sup>9</sup> [B9+ statement to D9+ Ministers’ meeting in Copenhagen](#) (September 2024)

- **Ensure innovation-friendly, technologically neutral, predictable, and future-proof rules:** if new legislation is required, it should be risk-based, proportionate, support innovation, and remain effective over time, while favouring targeted or full harmonisation across the EU.
- **Promote stronger, evidence-based impact assessments:** future legislation should systematically assess impacts on competitiveness, innovation, SMEs, investment conditions, and time-to-market from the outset. Importantly, assessments should also include cumulative administrative burdens, compliance costs and interaction effects across different pieces of the digital rulebook, with a view to ensuring proportionality, effectiveness and tangible benefits in practice. Those assessments should also cover substantive amendments adopted in the negotiated positions by the co-legislators before trilogue negotiations begin.<sup>10</sup>
- **Promote consistent operationalisation of legislation:** in implementation, application, and enforcement, member states should avoid divergence, fragmentation and “gold-plating,” and promote a harmonised and coordinated approach.
- **Ensure harmonised, clear, coordinated and easily accessible guidance from the Commission,** to enable practical implementation, support predictable compliance and reduce unnecessary administrative burdens for companies.
- **Ensure more effective stakeholder engagement:** throughout the policy cycle, stakeholder consultations should be timely, transparent, and meaningful, allowing businesses to contribute early and constructively.
- **Promote regulatory innovation while protecting businesses, citizens and consumers:** EU legislation should support innovation, for instance through tools such as sandboxes and co-creation mechanisms, and provide supervisors with an additional mandate to take competitiveness and innovation into account. At the same time, it should uphold fundamental rights, including companies’ freedom to conduct business, while ensuring high standards of citizen and consumer protection, especially for minors, through a harmonised EU approach that minimises burdens for cross border companies.
- **Ensure harmonisation across member states:** ensure uniform interpretation of legislation through central practical guidelines and implementation tools and coordinated enforcement of EU regulation with the aim that businesses should be met by the same rules and requirements across member states.
- **Ensure proportionate and risk-based regulation:** risk classification in legislation should be clear, proportionate and based on real risk – not broad or unclear definitions that may give rise to different interpretations – to avoid unnecessary burdens, especially for SMEs.
- **Clarify that legitimate interest can serve as a legal basis** throughout the AI lifecycle, including for security-related processing notwithstanding the other principles and obligations of the GDPR, such as data minimalization, purpose limitation etc.

### 3. AI adoption and implementation

AI is a priority for Europe’s competitiveness and resilience. However, to capture its benefits, EU businesses need a rapid and widespread adoption and implementation, supported by a coherent and innovation-friendly framework.

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<sup>10</sup> BusinessEurope, [Commission Communication on Better Regulation – BusinessEurope’s response to the Commission’s call for evidence](#) (February 2026)

The B9+ calls for a pragmatic and pro-innovation approach based on the following priorities:

- **A clear and workable regulatory framework:** ensure that the AI Act is implemented in a proportionate, predictable, and innovation-friendly way, avoiding unnecessary complexity and providing sufficient time, straightforward and timely guidance, and, particularly for SMEs, practical implementation tools, and clear governance structures.
- **Accelerating adoption across the economy:** alongside efforts to improve the overall business environment for European companies, support the uptake of AI by businesses, particularly SMEs, including industrial and infrastructure use-cases, where AI can drive productivity, resilience, and sustainability. This should be enabled through access to high-performance computing, the development of AI ecosystems, and the promotion of sector-specific applications, including in the public sector, where AI can improve efficiency and service delivery.
- **Investing in competitive and sustainable infrastructure, data, and resources:** strengthen Europe's digital infrastructure, including data centres, cloud and computing capacity, by removing key investment bottlenecks affecting access to reliable grid capacity and competitive low-carbon energy supply. Promote faster and simpler permitting procedures, strengthen support for skills and R&D, and improve data availability, interoperability, and trusted data-sharing environments.
- **Skills and talent development:** invest in AI education, reskilling, and upskilling, while attracting and retaining international talent to support AI innovation, deployment and workforce transitions.
- **Innovation and collaboration:** strengthen public-private partnerships, support large-scale AI projects, and promote testing environments and regulatory sandboxes to accelerate innovation and strengthen Europe's position in global AI ecosystems.

#### 4. Smart Digital Sovereignty

Digital sovereignty is becoming an important theme in EU policy driven by geopolitical uncertainty and critical technological vulnerabilities. Primarily, it is important that Europe improves its digital capacities through strengthened competitiveness rather than by retreating "behind walls". A smart<sup>11</sup>, effective, proportionate and risk-based strategy must strengthen Europe's security and resilience by expanding strategic choice and digital capacities, while safeguarding openness, and access to global markets. Digital sovereignty should not become technological isolation or protectionism, which risks undermining competitiveness, fragmenting the Single Market and slowing adoption and innovation. Instead, digital sovereignty should be understood as creating interdependencies and managing critical dependencies, diversifying suppliers and building digital capacity and supporting technological start-up/scale-up ecosystem in Europe, while remaining open and globally connected. The aim must be to strengthen Europe as a competitive place for business to invest, innovate, scale and trade.

In this context, the B9+ outlines the following key priorities:

- **Maintain openness while strengthening resilience:** we should remain integrated in global value chains and be open to international trade. We should invest in European capacity and continue to attract investment, talent, and innovation, while supporting interdependences and managing **critical** dependencies applying to sensitive uses in strategic areas based on a risk-based approach. The EU must enable digital capacities through rules that strengthen EU-

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<sup>11</sup> See footnote 5 of this statement.

based innovation and development, while safeguarding access to state-of-the-art global technologies.

- **Apply a risk-based approach:** Not all digital activities require the same level of digital sovereignty control. We support the ability to choose – depending on the specific risk level – between technology solutions. Any smart digital sovereignty requirements should focus on risk assessment and proportionate mitigation measures. This approach should take into account standards, transparency, encryption, access controls and resilience, data classification and assessment of sensitive data use to address, where necessary, security and resilience requirements. Those requirements should allow, where possible, all solutions that meet functionally **equivalent** requirements and interoperability standards to take into account mitigations of legal, geopolitical, and technological risks.
- **Strengthen technological and industrial capabilities:** the EU should foster digital capabilities, while safeguarding access to state-of-the-art global technologies and solutions. Public and **private** investment in European capacity in AI, software, cloud, quantum and any other key digital technologies enhances competitiveness, reduces strategic dependencies and stimulates the adoption and use of such technologies. Rules governing involvement in, or access to, technologies or IP derived from publicly funded RD&I should be proportionate.
- **Develop robust sustainable infrastructure and resources:** Strengthen digital and energy infrastructures enabling and incentivising private sector investments in a.o. cloud, connectivity, data centres, and access to reliable, competitive, and low-carbon energy. Licensing and permitting must be **streamlined** to accelerate investment in underpinning infrastructure, and to unlock additional private sector investment in key projects.
- **Promote interoperability and flexibility:** Avoid vendor lock-in and ensure open, interoperable and market-driven standards aligned with international norms and best practices, to support EU resilience, innovation and competitiveness globally.
- **Public procurement should strengthen competition, transparency and resilience:** Enable a wide variety of eligible suppliers to participate in government contracts - including small and startup enterprises. For example, where possible, by splitting up large contracts into smaller ones, exploiting pre-commercial procurement opportunities, and ensuring proportionate compliance procedures. Strategic public procurement should support continuity of critical services, interoperability, and greater control over critical digital systems.
- **Invest in skills, research, and innovation ecosystems:** Support long-term competitiveness through talent development attraction and retainment, including up-skilling and re-skilling, cutting-edge R&D, and public-private collaboration.

## 5. The need to act now

As digital frontrunners, we call upon the D9+ countries to lead the acceleration of Europe's digital transformation agenda. Europe faces a decisive window of opportunity to really simplify its digital rulebook, strengthen competitiveness, and support investment in digital infrastructure, innovation, and strategic technologies, while remaining open to international cooperation and trade. The time to act is now.