

# Reopening the GDPR is a threat to rights, accountability, and the future of EU digital policy

Dear Executive Vice-President Virkkunen,  
Dear Commissioner McGrath,

We write as civil society organisations, academics, companies, trade unions, experts and others alarmed by a growing risk: that the most important digital rights law seems set to be quietly unravelled. We are **gravely concerned about ongoing proposals to reopen the General Data Protection Regulation (GDPR)**, including changes expected as part of the fourth omnibus package, and mounting rumours that the GDPR will be further reopened in subsequent initiatives later this year or beyond.

The GDPR is more than a Regulation. It is **the backbone of the EU's digital rulebook**, a hard-fought legislative achievement that sets high standards and safeguards people's dignity in a data-driven world. Its impact reaches far beyond the EU's borders, influencing digital governance globally.

Proposals to amend certain provisions intended to support small and medium-sized companies to increase legal certainty and strengthen enforcement are good in theory. However, we are concerned that the proposed changes risk, unsupported by any evidence, missing the mark of genuine simplification, and **could instead roll back key accountability safeguards** and with them, the accountability principle itself. In practice, they could allow some companies to avoid keeping records of data processing (even when handling special categories of data) purely based on staff headcount or turnover.

This shift undermines what is often called the GDPR's 'risk-based approach', a mechanism for calibrating obligations according to the potential harm to people's rights and freedoms, not company size. More fundamentally, it **could erode the Regulation's original foundation as a rights-based instrument** grounded in the recognition of personal data protection as a fundamental right. Data rights do not become less important when the controller is smaller; and people's vulnerability to harm does not shrink accordingly.

While competitiveness is important, using it to justify exemptions from core protections sends a worrying message: that people's rights are expendable when economic interests are at stake. But **sustainable competitiveness depends on trust, accountability, and fairness, not on lowering standards**. It also relies on other factors that have nothing to do with regulation: long-term investment, robust infrastructures and coherent enforcement. The GDPR, which is technologically neutral, supports innovation precisely by ensuring that people's rights are respected and that businesses operate on a level playing field. Many companies and Data Protection Officers (DPOs), including those of us signing this letter, do not support reopening the GDPR. On the contrary, there is broad recognition that obligations such as those under Article 30 help ensure compliance and foster responsible data practices.

In our experience, **deregulatory efforts rarely stop at 'technical adjustments.'** Once reopened, the GDPR could become vulnerable to broader deregulatory demands. Many such pressures are already visible, including calls to weaken rules on consent with no effective safeguards for users, or legitimise invasive uses of personal data for AI training.

We also cannot ignore the geopolitical context. **Over the past years, calls from foreign commercial and political actors to loosen the EU's digital protections have consistently started with attempts to weaken the GDPR, a strategy now extended to the entire EU tech rulebook**, including the DSA, the DMA and the AI Act – and already underway for corporate accountability and environmental justice. Weakening the GDPR would also harm the EU's credibility. The Regulation is still widely cited as a benchmark for rights-based digital governance. Undermining it would send a signal that the EU is willing to abandon its own standards under pressure, further eroding trust in its digital policies.

The GDPR is presented by some as an obstacle to aggressive data extraction models that rely on opacity, manipulation, and disregard for rights. **These are often the same actors who work to evade meaningful enforcement.** Undermining the GDPR would not only weaken protections for people in the EU; it would send a signal globally that rights-based regulation is negotiable under pressure.

We share the concern that the current compliance model can feel burdensome, especially for smaller entities acting in good faith. But weakening legal protections is not the answer. Instead, **the EU needs to invest in real enforcement of existing rules against repeat offenders**, while improving guidance, access to tools, and proportional compliance support for smaller actors.

We urge the European Commission to:

- **Reject any reopening** of the GDPR – no matter how limited it may appear – and reaffirm the Regulation's integrity as a foundation of EU digital law;
- **Recognise that current implementation challenges can be solved by effective enforcement** with clarity and not deregulation;



- **Continue to support compliance mechanisms and legal certainty**, not by rewriting the law but by ensuring greater support and assistance, especially for smaller entities;
- **Resist external and internal pressures** that seek to trade away people's rights in the name of competitiveness or trade interests.

The GDPR was designed to protect people in the face of growing digital power asymmetries, which disproportionately harm communities that have been systematically marginalised for decades. It is not broken, but the pressure to break it is real. **Reopening it now would risk turning back the clock on hard-won rights.**

We remain at your disposal for dialogue and urge you to stand firm in defence of fundamental rights.

Sincerely,

**Organisations:**

European Digital Rights (EDRi)  
Access Now  
AI Forensics  
AlgorithmWatch  
Alternatif Bilisim  
Amnesty International  
ARTICLE 19  
Aspiration  
ATTAC España  
Attac Österreich  
Austrian Federal Chamber of Labour (AK EUROPA)  
Avaaz  
Balanced Economy Project  
Bits of Freedom  
Centar za građanske inicijative Poreč  
Centre for Democracy and Technology Europe (CDT Europe)  
Centre for Peace Studies  
Civil Liberties Union for Europe (Liberties)  
Compliance Buro  
Corporate Europe Observatory (CEO)  
Cryptee  
Danes je nov dan, Inštitut za druga vprašanja  
Data Protection Lawyer  
Defend Democracy  
Deutsche Vereinigung für Datenschutz e.V. (DVD)  
Digitale Gesellschaft  
Digital Intimacy Coalition  
Digitalcourage



Electronic Frontier Finland - Effi ry  
Electronic Frontier Norway  
Electronic Privacy Information Center (EPIC)  
Element  
epicenter.works - for digital rights  
Ekō  
EKPIZO  
European Center for Not-for-Profit Law (ECNL)  
European Environmental Bureau (EEB)  
European Federation of Public Service Unions (EPSU)  
European Network Against Racism (ENAR)  
Fair Vote UK  
Federación de Consumidores y Usuarios (CECU)  
Federation of German Consumer Organisations (Verbraucherzentrale Bundesverband -  
vzbv)  
Foundation the London Story  
Glitch  
Global Forum for Media Development (GFMD)  
Global Health Advocates (GHA)  
Global Witness  
Goebel Consult (Information-Security and Privacy Consulting for SMB)  
Health Action International  
Hostsharing eG  
IFEX  
Iuridicum Remedium (IuRe)  
IT-Pol  
Lie Detectors  
lolongo  
Media Diversity Institute  
Mozilla  
New School of the Anthropocene  
noyb - European Center for Digital Rights  
Observatorio de Trabajo, Algoritmo y Sociedad  
Open Rights Group  
Panoptikon Foundation  
People vs Big Tech  
Platform for International Cooperation on Undocumented Migrants (PICUM)  
Politicode, data protection consultancy  
Politiscope  
Privacy First  
Privacy International  
Proton  
Public Citizen  
SHARE Foundation  
Statewatch  
SUPERRR Lab



The Swedish Consumers' Association  
Transatlantic Consumer Dialogue (TACD)  
Tuta Mail  
Volkshilfe Österreich  
VoxPublic  
Vrijschrift.org  
Waag Futurelab

### **Individuals:**

Anastasia Karagianni, Doctoral Student, Law, Science, Technology & Society (LSTS) Research Group, VUB  
Anella Buković, Data Protection Lawyer  
Dr. Asli Telli  
Beata Faracik, President of the Board, Polish Institute for Human Rights and Business  
Cristiana Santos, Utrecht University  
Professor Douwe Korff  
Dr. Heleen Janssen, Assistant Professor of Information Law  
LL.M. Flora Rebello Arduini, Senior Human Rights Strategist, Fellow at International Panel on the Information Environment (IPIE)  
Guido Gorgoni, Aggregate Professor of Digital Citizenship and Law, University of Padua  
Harshvardhan J. Pandit, AI Accountability Lab (AIAL), Trinity College Dublin  
Professor Ian Brown  
Dr. Irene Kamara, Assistant Professor, TILT, Tilburg Law School  
Jacobo Ponte, Sustainability Advisor. Action Aid Spain board member.  
Dr Joanna Mazur, University of Warsaw  
Jug Puljizevic, GDPR-MEDIA  
Kaiti Milona, Naturefriends Greece  
Kristina Irion, Associate Professor, University of Amsterdam  
Dr. Lisette Mustert, LL.M, Assistant Professor of Administrative Law, Utrecht University  
Dr. Lorenzo Dalla Corte, Assistant Professor in Data Protection and Cybersecurity Law  
Dr. Marco Almada, University of Luxembourg  
Maria Magierska, Maastricht University, European University Institute  
Nicole Gross, Associate Professor in Business & Society  
Dr. Paško Bilić, Chair of the Centre for Sociology of Media and Digital Society, Institute for Development and International Relations  
Igor Barlek, European Association of Data Protection Professionals (EADPP) Board member Y2021, International Association of Privacy Professionals (IAPP) member, Certified Information Privacy Professional / Europe (CIPP/E)  
Dr. Ronald Leenes, full professor of regulation by technology  
Sarah Tas, Assistant Professor of Public Law, Maastricht University  
Xavier Brandao, independent expert on digital threats