

EN

E-004566/2025

Answer given by Mr McGrath
on behalf of the European Commission
(28.1.2026)

The Commission proposed well-targeted amendments to the General Data Protection Regulation (GDPR)¹². They do not touch on the fundamentals of the GDPR but aim to harmonise, clarify, and simplify its application, and do not negatively impact individuals' fundamental rights, including their right to data protection. The proposed amendments are fully compliant with the EU Charter of Fundamental Rights³ and, for some parts, codify the existing case law of the Court of Justice of the European Union.⁴ They help controllers to better understand GDPR requirements and should therefore lead to improved data protection. They reflect the findings of the Commission in the GDPR Implementation Dialogue and the second report on the application of the GDPR⁵. The proposal for a Digital Omnibus is accompanied by a Staff Working Document⁶ presenting the assessment of the impacts expected from the proposed amendments.

One of the amendments clarifies the compatibility of further processing of personal data for certain privileged purposes currently set out in Article 5(1)(b) GDPR, like scientific or historic research. The envisaged clarification is not applicable to any other purposes.

The proposed amendments do not in any way permit profiling across various services and systems nor alter specific rules in other EU laws, such as the rules in Regulation (EU) 910/2014 limiting the use of personal data across various services⁷, the prohibition under Regulation (EU) 2022/2065 on providers of online platforms to present advertisements based on profiling using special categories of personal data or personal data when the recipient of the service is a minor⁸, the data protection rules applicable to large-scale IT systems⁹, those set-out in the Interoperability Regulations¹⁰ and in the Commission's proposal on digital travel credentials¹¹.

¹ Proposal for a Regulation of the European Parliament and of the Council amending Regulations (EU) 2016/679, (EU) 2018/1724, (EU) 2018/1725, (EU) 2023/2854 and Directives 2002/58/EC, (EU) 2022/2555 and (EU) 2022/2557 as regards the simplification of the digital legislative framework, and repealing Regulations (EU) 2018/1807, (EU) 2019/1150, (EU) 2022/868, and Directive (EU) 2019/1024, COM(2025) 837 final.

² Regulation (EU) 2016/679 of the European Parliament and of the Council 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, OJ L 119, 4.5.2016, pp. 1–88.

³ Charter of Fundamental Rights of the European Union, https://eur-lex.europa.eu/eli/treaty/char_2012/oj/eng.

⁴ See also Commission Staff Working Document accompanying the Commission's Proposal, SWD (2025) 836 final, section 1.2.

⁵ https://commission.europa.eu/get-involved/events/implementation-dialogue-application-general-data-protection-regulation-commissioner-michael-mcgrath-2025-07-16_en, 16 July 2025;
https://commission.europa.eu/publications/reports-application-gdpr_en.

⁶ SWD (2025) 836 final.

⁷ Article 5a(14), Article 5a(17), Article 45h of Regulation (EU) No 910/2014 of the European Parliament and of the Council of 23 July 2014 on electronic identification and trust services for electronic transactions in the internal market.

⁸ Articles 26(3) and 28(2) of Regulation (EU) 2022/2065 of the European Parliament and of the Council of 19 October 2022 on a Single Market for Digital Services and amending Directive 2000/31/EC (Digital Services Act).

⁹ Regulations (EU) 2018/1860, 2018/1861, 2018/1862; Regulation (EU) 2017/2226; Regulation (EU) 2018/1240; Regulation (EC) No 767/2008; Regulation (EU) 2024/1358; Regulation (EU) 2019/816.

¹⁰ Regulations (EU) 2019/817 and 2019/818.

¹¹ Proposal for a Regulation of the European Parliament and of the Council establishing an application for the electronic submission of travel data ('EU Digital Travel application') and amending Regulations (EU) 2016/399 and (EU) 2018/1726 of the European Parliament and of the Council and Council Regulation (EC) No 2252/2004, as regards the use of digital travel credentials, Strasbourg, 8.10.2024, COM(2024) 670 final.