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Policy Statement

Recommendations for the EC Digital Omnibus Package on AI and Data to Safeguard Academic and Education Interests

This policy statement has been prepared for submission to the European Commission in response to their call for feedback on the proposals for the regulations COM(2025)836 and COM(2025)837 to simplify the digital legislative framework and to the Digital Omnibus.

Informatics Europe

Informatics Europe represents the academic and research informatics community in Europe and neighbouring countries by uniting close to 200 member institutions and connecting over 50,000 researchers in informatics and related disciplines from more than 30 countries. Its mission is to empower and unite the European informatics community, establish common positions, take action on shared priorities, and support policy-making in informatics education, research, and its social impact across Europe. Informatics Europe has previously responded to European Union public consultations on European digital principles, artificial intelligence and the European strategy for data. Informatics Europe is a non-profit organisation.

Comments and Recommendations

Informatics Europe is pleased to respond to the call for feedback on the proposal to simplify the digital legislative framework and to the Digital Omnibus.

Informatics Europe welcomes the European Commission's intention to

- introduce targeted simplifications for businesses;
- centralise oversight of AI systems built on general-purpose models or embedded in very large online platforms and search engines;
- make data protection more flexible to allow the processing of special categories of personal data; and
- make administrative savings for businesses and public authorities.

In the spirit of a constructive dialogue, Informatics Europe respectfully submits the following recommendations to the proposal from 19 November 2025, with the aim of contributing to the further strengthening of AI research, education and literacy. We hope that our recommendations will be received as a contribution to the European Commission's important goal of strengthening

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EU competitiveness, and we believe that they will be seen as a way of maintaining scientific sovereignty and technical integrity.

1. Safeguarding Academic Sovereignty through Tiered Access

While Informatics Europe welcomes the Commission's efforts to streamline innovation, the expansion of the **"Scientific Research" definition** to encompass **commercial R&D** requires a nuanced implementation. We propose a model of "Scientific Functional Equivalence" to ensure that the unique "public good" value of **academic research is not diluted.**

Recommendation: The Commission should implement **Tiered Access** within the consolidated Data Act, ensuring **Zero-Cost Access** for non-profit academic research, including University and Research organisations' spin-offs that qualify as SMEs, while maintaining **Fair and Reasonable (FRAND) fees** for commercial R&D. This preserves the incentives for basic research that underpin long-term European sovereignty.

2. Reinstating Informatics Literacy as a Regulatory Requirement

The proposal to replace the mandatory **AI literacy** obligation with a general encouragement for Member States risks (amendment to Article 4) **undermining the "human oversight"** requirements that remain central to the AI Act.

Recommendation: Effective human oversight is technically impossible to verify without a foundational understanding of informatics. We recommend that this "encouragement" must be backed by a **Harmonised Competence Framework**, like the **"Informatics for All" framework** by ACM Europe, Informatics Europe, CEPIS and IFIP, be adopted as the **official Standard for Professional Certification** to prove compliance with legal oversight obligations.

3. Ensuring Independent Peer Review of Technical Standards

Current technical standards for **machine-readable consent** (Article 88b) are largely driven by industry-heavy bodies. Without independent scientific verification, these standards risk **institutionalising "dark patterns"** by design.

Recommendation: We call for **Academic Veto Rights or a mandatory Informatics Peer Review phase** for all technical standards **affecting fundamental rights.** This ensures that the technical architecture of the Digital Single Market remains transparent and equitable.

4. Implementing a "Reproducibility Mandate" for Research Exemptions

The Omnibus facilitates simplified data sharing for research (Article 4a), yet it does not address the **"Replication Crisis" in AI** development.

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Recommendation: Any entity utilising the **"Scientific Research" exemption** for data processing (the new Article 4a) should be required to submit a **Transparency & Reproducibility Report to the AI Office.** If the "research" label is invoked to bypass consent requirements, the provider must allow for independent peer verification to prove the scientific validity of the enterprise. Independent academic auditing of these bias-correction processes is a necessary safeguard for fundamental rights.

5. Protecting Academic Security Research via Safe Harbors

While we support the creation of a **"Single Entry Point"** for incident reporting to reduce administrative burdens, this must **not inadvertently penalise the research** community

***Recommendation*: "Vulnerability Disclosure Safe Harbors"** specifically for academic security researchers should be established. This prevents the simplified reporting infrastructure from being used as a legal tool to suppress researchers who identify and report critical bugs or vulnerabilities in High-Risk AI systems.

6. Optimising AI Gigafactories through Data-to-Compute Proximity

The **"AI Gigafactories"** initiative is essential for European computing power, but its utility depends on the **accessibility of data.**

Recommendation: The Omnibus implementation must guarantee **"Data-to-Compute Proximity"**. Research data within the EU's **High-Performance Computing (HPC)** infrastructure should be accessible **without egress fees**, ensuring that "available" data is also technically and economically "accessible" for scientific advancement.

7. Recognising Software as a Protected Research Artefact

Current policy often erroneously views "Data" as the primary asset and **"Software" merely as a tool**. This mindset hinders the funding and protection of complex informatics outputs.

Recommendation: The implementation of the Data Act must treat Source Code and **Trained Weights** as "Protected Research Artefacts" rather than generic non-personal data. This shift is **vital for the European Innovation Council (EIC)** to properly fund and protect software-heavy research.

8. Formalising Scientific Panel Representation

The newly established **AI Scientific Panel** is a critical component of the **AI Office**'s governance structure.

Recommendation: Informatics Europe requests a **permanent seat** on the AI Scientific Panel, as an established and representative voice of research and academic expertise. This ensures that

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informatics – the science of computing – not just policy informs the highest level of decision-making within the AI Office, providing a **robust technical foundation for European AI oversight**.

9. Reviewing Technical Taxonomy and the "AIH Codes"

Annex XIV sets out a **multi-dimensional typology of AI systems** (AIP, AIB, and AIH codes) for the notification procedure of notified bodies that **may stifle emerging research fields**.

Recommendation: These codes should undergo **regular scientific review** to ensure they reflect evolving architectures like multimodal generative AI (AIH 0302).

10. Providing "Scientific Sandbox" (Article 60 & 60a)

The proposal expands the **scope for testing high-risk AI systems** in real-world conditions outside of regulatory sandboxes, but does not address "Academic-Industry Collaborative Sandboxes".

Recommendation: The EU-level sandboxes that will be established by the AI Office by 2028 should include dedicated **computing resources and data access for researchers** involved in validation and testing.

11. Using Transition Period for Generative AI (Article 111)

The proposal adds a **6-month transition period** for generative AI systems to comply with marking and detection requirements (machine-readability).

Recommendation: The European Commission should support the **development of open-source detection standards** during this 6-month window to ensure that compliance does not rely on proprietary tools.

Conclusion

Informatics Europe is committed to working with all stakeholders to ensure that the simplification of the digital legislative framework and of the Digital Omnibus on AI and data contributes to the further strengthening of AI research, education and literacy across Europe.

