

CALL FOR EVIDENCE FOR AN EVALUATION / FITNESS CHECK

TITLE OF THE EVALUATION	Digital Fitness Check
LEAD DG – RESPONSIBLE UNIT	DG CONNECT – DG.01 Policy Implementation and Planning
INDICATIVE TIMETABLE (PLANNED START DATE AND COMPLETION DATE)	Q1 2027
ADDITIONAL INFORMATION	

This document is for information purposes only. It does not prejudice the final decision of the Commission on whether this initiative will be pursued or on its final content. All elements of the initiative described by the document, including its timing, are subject to change.

A. Political context, purpose and scope of the evaluation

Political context

The Commission is committed to delivering tangible results to make the EU more competitive, not least through an ambitious simplification agenda. Outlined in the Communication on '[A Simpler and Faster Europe](#)', this agenda translates the political vision of President von der Leyen's political guidelines¹ into a robust action plan for implementing and simplifying the EU's legislation.

Digital rules have been instrumental in framing a fair business environment in the EU. They have established a true single market for digital services. Europe has pioneered digital regulation and set the gold standard for the highest level of protections for fundamental rights, consumer safety and the protection of our values.

At the same time, the Draghi² and Letta³ reports highlight that the accumulation of rules has sometimes had an adverse effect on competitiveness. Fast and visible improvements are needed for people and businesses, in particular SMEs⁴ and SMCs⁵, through a more cost-effective and innovation-friendly implementation of our rules – all the while maintaining high standards and core objectives of the rules.

The Commission took a first step to simplify the digital rulebook with the proposals of the Digital Omnibus. The Digital Fitness Check comes as a second step to stress-test the complementarity, efficiency and effectiveness of the rulebook.

Purpose and scope

The Digital Fitness Check will focus on how the digital rulebook affects and supports the competitiveness objective of the EU, focusing on areas of strategic importance. It will assess how different laws work together, identifying synergies, good practices, and any remaining gaps, overlaps and inconsistencies. Its aim is to ensure that the overall system remains effective, proportionate and fit for the future, and delivers on the EU's high standard of protection of fundamental rights. The analysis will also cover the coherence of the digital rulebook, its relevance in a changing world and its 'EU added value'. The 'digital rulebook'⁶ is understood broadly as the body of EU legislation with a significant digital angle and its implementation.

¹ Von der Leyen, U. (2024) *Europe's Choice: Political Guidelines for the Next European Commission 2024-2029*. Available at: [e6cd4328-673c-4e7a-8683-f63ffb2cf648_en](#).

² Draghi, M. (2024) *The future of European competitiveness*. Available at: [The Draghi report on EU competitiveness](#).

³ Letta, E. (2024) *Much more than a market*. Available at: [Enrico Letta - Much more than a market \(April 2024\)](#).

⁴ Small and Medium Enterprises (SMEs), Recommendation 2003/361/EC

⁵ Small mid-caps, Recommendation 2025/3500/EC

⁶ A preliminary listing of EU 'digital rules' is presented in the annex of the Staff Working Document accompanying the proposal of the Digital Omnibus, in particular as regards reporting obligations included in those rules. Other, sector-specific rules might have a digital component adjacently relevant to the coherence and cumulative impact analysis.

First, it will focus on the different cumulative effects of digital and, where relevant, adjacent legislation that applies to strategic sectors for the EU's competitiveness, comprehensively mapping the applicable rules.

After the first consultation step framed by this call for evidence and public consultation, the Digital Fitness Check will focus more in depth on the interplay between selected rules with simplification potential, especially with regards to SMEs. Rules that entered into force only recently will be analysed with necessary caution.

The preliminary views received from stakeholders on the margins of the consultations for the Digital Omnibus package indicate a need for a wider analysis of the interplay between laws. For example, the set of EU rules on data or more recent rules applicable to cybersecurity or to online services and sector-specific rules. This will include a more in-depth analysis of elements such as:

- coherence between specific legal notions, such as definitions, or questions of clarity of obligations, coherence of scope or regulatory logic;
- cumulative impact of rules, assessing combined costs and benefits of the selected provisions, and identifying potential for further streamlining, particularly where there are duplications of obligations;
- good practices and challenges in the interplay between the different governance systems for implementing and supervising the rules, including cooperation and consultation mechanisms between authorities and EU-level cooperation through boards and other fora;
- mechanisms, tools, guidance or experimental practices that bring legal clarity, relieve administrative burdens or assist in the application of rules in novel areas, supporting innovative practices.

B. Better regulation

Consultation strategy

The Commission will seek stakeholders' views on how EU digital rules interact and what their combined effects are in practice – for businesses, public authorities and citizens.

This call for evidence and a public consultation are a first step. They will run in parallel for sixteen weeks, from 19 November 2025 to 11 March 2026.

In 2026 the Commission will organise other consultation activities in this context, including 'reality checks' and implementation dialogues, focusing on specific issues.

Why we are consulting?

The Commission is consulting to gather:

- stakeholder's views and practical experiences with how EU digital rules work together, and
- evidence on the cumulative impact of the rules on people, businesses, and public authorities.

Target audience

All stakeholders are invited to share their views.

Data collection and methodology

The assessment will draw on economic analysis and qualitative insights.

The Fitness Check should be supported by expert studies and by stakeholder input collected through (i) the current public and targeted consultations, (ii) past consultations (such as those on [artificial intelligence](#), [cybersecurity](#), and [data](#)), and (iii) the [call for evidence](#) underpinning the Digital Omnibus proposal.

The analysis will complement other evaluations and fitness checks planned or recently conducted.