

## The Omnibus for simplification process: impact assessment and stakeholder consultation at EU and national level

### **Summary**

*RegWatchEurope (RWE) recognizes that simplification and the reduction of unnecessary burdens for businesses are important policy objectives and welcomes the Commission's focus on these objectives. Among the initiatives to reach them, ten "Omnibus for simplification" packages were presented by the European Commission in 2025. However, while they have been initiated with the right intentions, the processes were not always sufficiently structured and transparent. They also raise important questions regarding the use of Better Regulation principles.*

*We studied the first six Omnibus packages, which covered more than 50 existing EU regulations and directives, many in highly technical and complex areas.*

*We found that there were no impact assessments from the European Commission accompanying the packages we studied, and that other types of documentation accompanying the proposals were generally limited to estimating the burden reduction. A national impact assessment was carried out in only one of the seven Member States in our study. Stakeholder consultations at EU level have been held, but were not directly related to the Omnibus proposals. At national level, there have been no or few stakeholder consultations, and those that were performed varied greatly in scope and depth.*

*We conclude that deviation from generally agreed Better Regulation principles in the legislative process could lead to unintended impacts, which could counteract the overall objectives of the proposals.*

*We recommend that a follow-up of each Omnibus package is carried out as soon as it has been adopted by the co-legislators. We also recommend that ex post evaluations are conducted in due time. Other central recommendations are that impact assessments are always performed at EU level and that sufficient time for proportionate impact assessment and stakeholder consultation at national level should be given before start of negotiations. Finally, we recommend that the urgency criteria be more strictly defined and integrated in the Better Regulation system.*

## Background

The “Omnibus for simplification” packages are the key recent initiatives in the EU to reduce regulatory burdens for companies and to contribute to their competitiveness. With each package, the European Commission proposes simplification amendments to several legal acts in a particular policy area or in multiple policy areas. Only in 2025, the European Commission presented ten such packages. They are expected to reduce recurrent administrative costs by EUR 11.9 billion and, together with other simplification proposals, amount to a total net recurrent cost savings of EUR 15 billion<sup>1</sup>.

From the very outset, the Omnibus process differed significantly from the ordinary legislative process, also regarding the application of Better Regulation principles, both at EU and national level. On the most fundamental level, the bundling of legislative files that share a reduction potential, but do not have strong intrinsic connections, can pose procedural challenges. But there are also other concerns which we will illustrate by way of the interventions by the European Ombudsman and a legal critique as exemplified by the views of Prof. Alemanno.

At EU level, the European Ombudsman has investigated one Omnibus package, “Omnibus I on sustainability”, and identified various shortcomings in the process, which, according to the Ombudsman, amount to maladministration<sup>2</sup>. The Ombudsman observes, among other things, that the Commission has relied on information from impact assessments of previous initiatives, dating back to years before the Omnibus proposals were adopted. The Ombudsman also notes that impacts other than burdens to businesses, such as impacts on the environment, have not been assessed, and continues that this may raise doubts regarding the comprehensiveness of the evidence underlying the Commission’s analysis. As regards stakeholder consultation, the Ombudsman states that various activities that the Commission refers to in the case of this Omnibus package “did not specifically relate to the legislative proposals in question but referred to simplification and reporting obligations in more general terms”. Furthermore, the inter-service consultation on the draft legislative proposal was, according to the Ombudsman, concluded within 24 hours, starting on a Friday evening, with the deadline ending on Saturday evening, while the Commission’s own rules of procedure foresee at least ten working days for this process. The Ombudsman further notes that the Commission used a broad interpretation of the urgency criteria and failed to sufficiently justify the urgency of the proposal. The Ombudsman concludes that a lack of definition as well as a broad interpretation of the notion of political urgency in the Better Regulation rules “risks rendering the application of requirements that the Commission imposed on its own law-making activities unpredictable, inconsistent and arbitrary.”

In the same vein, Professor Alberto Alemanno points to the vulnerabilities of the Omnibus process, arguing that procedural safeguards such as treaty-required public consultation and evidence gathering have been omitted, making it “constitutionally

---

<sup>1</sup> [https://commission.europa.eu/law/law-making-process/better-regulation/simplification-implementation-enforcement/simplification\\_en](https://commission.europa.eu/law/law-making-process/better-regulation/simplification-implementation-enforcement/simplification_en)

<sup>2</sup> Recommendation on the European Commission’s compliance with ‘Better Regulation’ rules and other procedural requirements in preparing legislative proposals that it considered to be urgent (983/2025/MAS – the “Omnibus” case, 2031/2024/VB – the “migration” case, and 1379/2024/MIK - the “CAP” case), <https://www.ombudsman.europa.eu/recommendation/215920>

problematic”<sup>3</sup>. He argues that the Omnibus legislative technique is not inherently unlawful, and it has historically been used for technical consolidation, updating procedures, aligning definitions, eliminating redundancies etc., but that the 2025 wave of Omnibus proposals marks a “qualitative and quantitative departure as these measures bundle substantive amendments across climate action, environmental protection, food safety, and digital rights into singular packages that obscure the magnitude of change while simultaneously bypassing the evidentiary requirements [...]”

## The RWE project

The Ombudsman investigated just one Omnibus package at EU level and the Alemanno paper only presents a general analysis at EU level. There are certainly other interventions on the subject, but to our knowledge there has been no systematic analysis focusing on the application of Better Regulation principles at the national and EU levels. Therefore, RWE decided to dig deeper into the process, with the ultimate objective being to ensure the use of Better Regulation principles in the continued Omnibus process and beyond.

The purpose of the inquiry was to provide a focused and practical mapping of the process, verifying key information at EU level while adding a national perspective, especially that of civil servant experts involved in the process. We were furthermore interested in finding out whether there were any procedural similarities or dissimilarities across countries or packages. We limited the scope of our inquiries to impact assessments and stakeholder consultation in the first six Omnibus packages, i.e. the packages presented between February and July 2025<sup>4</sup>, and the processes in seven of the eight<sup>5</sup> RWE countries, i.e. the Czechia, Denmark, Finland, Germany, the Netherlands, Romania and Sweden.

## Findings

### *Evidence base*

None of the Omnibus packages covered were accompanied by an impact assessment by the European Commission. The proposals have instead only been accompanied by fact sheets or European Commission Staff Working Documents (SWDs). In the SWDs, there were elements of what normally would be found in an impact assessment, but there were also many components missing. They contain descriptions of the pressure and need to reduce regulatory burdens for business, the reasoning behind the proposed solutions as well as cost reduction calculations. The burden reduction related savings seem to have a relatively weak evidence-base. For two of the packages, “Omnibus II on investment” and “Omnibus IV on small mid-caps, digitalisation and common specifications”, no SWDs were provided.

### *Stakeholder involvement at EU level*

In interviews with civil servant experts, it was confirmed that consultations at EU level have taken place, but also that they have varied both in form and depth. In many instances they have taken place within larger frameworks, such as

---

<sup>3</sup> Codifying Better Regulation: Constitutional Requirements and Reform Proposals, <https://papers.ssrn.com/sol3/Delivery.cfm/6168211.pdf?abstractid=6168211&mirid=1>

<sup>4</sup> The packages on sustainability (I), InvestEU (II), agriculture (III), small mid-caps, digitalization and common specifications (IV), defence readiness (V) and chemicals (VI)

<sup>5</sup> The Regulatory Policy Committee (UK) did not participate in the project as UK does not take part in the EU legislative process.

implementation dialogues, not specifically connected to the Omnibus proposals. There is a perception that business stakeholders were overrepresented, to the detriment of other stakeholder organisations or Member State authorities. In some of the investigated cases, experts feel that they have been insufficiently informed by the Commission and were in some cases taken by surprise by some of the proposals. This was especially the case for legislative acts and policy areas that were recently under evaluation or revision, such as the regulation on data protection (GDPR), the regulation on standardisation, the common agricultural policy and acts within the chemical sector, where issues were expected to be addressed in upcoming, ordinary legislative processes.

#### *National parliamentary dimension*

At national level, in all the countries investigated, there were government memos to inform parliaments on the Omnibus proposals. Such memos are normally drawn up within four to six weeks after the Commission has presented its proposal and normally include: descriptions of the objective and content of the proposal, legal basis, budget and other impacts, information on the views of stakeholders and other Member States or EU institutions, analyses of subsidiarity and proportionality, preliminary government position and procedural information, including information on ongoing or planned stakeholder consultation. In the case of the Omnibus packages, we found that the memos contained only basic information on the Commission proposal and either no or very general analyses on potential national impacts. Memos on packages that covered a larger number of legal acts, such as Omnibus IV on small mid-caps, digitalisation and common specifications, could even be described as exceptionally general.

#### *Stakeholder involvement at national level*

There were few national stakeholder consultations in the countries studied. The consultations that did take place varied significantly in scope and depth. There were in principle no broad public consultations. Targeted consultations, with a few or more stakeholder groups, ranged from ten days to two months in length and were conducted for some packages, or a selection of acts within a package. In a few cases, semi-public hearings were organized. For some packages, there seem to have been no formal stakeholder consultations initiated by government/responsible ministry at all. We could not find any significant similarities between countries or packages in terms of the choice of consultation form, although it could be noted that where a package was proposed before summer holidays, the consultation period, where conducted, was substantially longer.

#### *National impact assessments*

Our inquiries also show that there have been almost no national preliminary impact assessments of the Omnibus proposals in the seven countries. In only one country, Denmark, a national impact assessment was carried out, but only for the proposed amendments in two of the three acts in the Omnibus I package, namely for the directives on corporate sustainability reporting (CSRD) and corporate sustainability due diligence (CSDDD).

#### *Bundling and simplification logic*

The six packages covered more than 50 existing EU Regulations and Directives, many in highly technical and complex areas. The logic as to which legal acts were bundled in a particular package was not always evident. Some legislative acts were furthermore proposed to be amended in multiple Omnibus packages. Several packages went beyond technical simplification and contained more controversial proposals, leading to claims that societal and environmental objectives were

weakened and the existing regulatory system undermined. In each Omnibus proposal responsibilities were split between many different Commission departments, national ministries and expert authorities.

### *Speed*

National civil servant experts perceive that businesses were in general positive regarding the majority of the Commission proposals, although with a few exceptions. Experts also welcomed the majority of the simplification proposals themselves, but questioned the timing, the Omnibus method as well as the speedy process. In several cases, negotiations in the Council started within days after the Commission had presented the proposals and often continued with two meetings a week, leaving little time for national consultation and impact assessment. In fact, there is a general perception that more time was spent on formal arrangements, such as the appointment of responsible coordinating ministry, travel arrangements, memos to parliament and intergovernmental consultation, than on the analysis of the substantial proposals. Common positions in the Council were generally reached after just six to eight meetings, whereas the majority of the Omnibuses are still negotiated in the European Parliament. The speed in the Council was perceived to have been made possible by the partial lack of sectoral experts in the new special working party in the Council, the "Antici Group for Simplification" (AGS), which was created for this purpose.

### *Legal certainty and disinvestment*

Both civil servant experts and businesses expressed concerns about the lack of predictability, often perceived to be more important than simplification measures themselves. If revisions take place as suddenly and without proper impact assessment or consultation, as has been the case in the current Omnibus process, there is a risk that businesses and other impacted stakeholders do not invest time and resources into effective and timely compliance. It has become particularly evident as regards Omnibus package I on sustainability, where business that have already invested in compliance with current requirements feel that they have been punished for doing so.

## **Conclusions**

RWE recognizes that simplification and the reduction of unnecessary burdens for businesses are important policy objectives and welcomes the Commission's focus on these objectives. However, while the Omnibus processes have been initiated with the right intentions, they were not always sufficiently structured and transparent.

The failure of following established standards of good lawmaking, such as thorough impact assessment, and allowing sufficient time for broad and targeted consultation could lead to unintended impacts, which are not beneficial for the overall purpose of the initiatives or can even be counterproductive.

If Better Regulation principles can be set aside without the urgency criteria being clearly defined, their role as a cornerstone of EU law-making risks being weakened over time. This points to a need for the EU to identify a strategic path that accommodates the demand for faster processes, while still ensuring appropriate stakeholder engagement and solid impact assessments. We would welcome any opportunity to participate in discussions in this regard.

Finally, in all packages, the Commission stated that the substantive goals of the legislation under revision remained intact, which would imply that the requirements

addressed in the Omnibus proposals were unnecessary for achieving these goals. This in turn begs the question what factors in the legislative process have allowed the adoption of so many unnecessary burdens in the first place. Conversely, concerns that societal objectives other than burden reduction for business have been downgraded should also be taken seriously.

## Recommendations

In order to ensure a good balance between different demands, evidence-based and transparent lawmaking, we put forward the following recommendations:

- Where impact assessments have been lacking, i.e. in all the packages we have investigated, a follow-up at EU level should be conducted for each Omnibus proposal. This should be conducted as soon as the proposal has been adopted by the co-legislators and could be limited to business impacts. It would serve the dual purpose of clarifying 1) the number and nature of amendments made by the co-legislators, in order to assess to what extent Commission proposals have been accepted or rejected and 2) clarifying additional direct and indirect cost savings or increases introduced by the co-legislators to the Commission's expected total savings of EUR 2.7 billion for the six original packages. RWE also advocates for defining specific indicators which would enable tracking the impacts of the Omnibuses.
- Full ex post evaluations of the final Omnibus packages should be conducted to determine whether they achieved the stated objectives and if there were non-intended, direct or indirect, impacts on different segments of business, the environment and society.
- All proposals, including future Omnibus proposals, should be accompanied by proportionate impact assessments by the Commission. The impact assessments should not be limited to impacts on businesses.
- It should be carefully considered whether the Omnibus method is best suited for simplification measures, especially in cases where a legal act has recently been adopted or is planned to be evaluated or revised in the near future, as this leads to less predictability and less trust in the law-making process.
- Deviations from Better Regulation principles should only be accepted in truly urgent circumstances. At the very least, the urgency criteria should be more strictly defined and integrated more closely into the Better Regulation system, ensuring that the Better Regulation principles can be adapted to urgency instead of being put aside.
- Sufficient time for impact assessment and stakeholder consultation at national level should be secured before the start of negotiations. The time for consultation and analysis should be proportionate to the complexity and urgency of legislative initiatives. Hasty processes at EU level lead not only to less informed negotiations, but also to lengthier and more complicated implementation processes at national level.