November 2026

Ahead of the Digital Fairness Act
A call for balance, competitiveness, and regulatory coherence

Dear Executive Vice-President Ms. Henna Virkkunen,
Dear Commissioner Mr. Michael McGrath,

The undersigned organisations, representing businesses of all sizes across Europe's digital economy, share the European Commission's objective of a high level of consumer protection and trust across the EU. Trust is the foundation of every lasting customer relationship and of a well-functioning Single Market.

As the Digital Fairness Act (DFA) proposal is scheduled for presentation on 11 November, we urge the European Commission to adopt a proportionate and evidence-based approach which reflects the EU's competitiveness and simplification agenda, avoids measures that could stifle innovation or prevent new businesses from scaling, and preserves the integrity of the Single Market.

Industry is not alone in stressing these priorities. Thirteen Member States recently called for reducing unnecessary administrative burdens and for law-making built on simplification, as a key lever for competitiveness.[1] In their recent letter to European Council President António Costa,[2] the leaders of Germany, Italy and Belgium also reiterated the need to simplify EU rules and procedures further, recalling that this is a central finding of the Draghi and Letta reports. Among their proposals, they called for compliance requirements proportionate to the risks they address and for a reduction in reporting obligations.

[1] Austria, Czechia, Denmark, Germany, Estonia, Hungary, Italy, Latvia, Lithuania, Poland, Portugal, Slovenia, Slovakia Non-Paper on Simplification (September 2026).
[2] Letter from Friedrich Merz, Chancellor of Germany, Giorgia Meloni, Prime Minister of Italy, and Bart De Wever, Prime Minister of Belgium, to António Costa, President of the European Council (12 October 2026).

In this spirit, the undersigned organisations wish to draw the European Commission's attention to four principles that should guide the finalisation of the DFA: competitiveness, simplification, legal clarity and enforcement.

1. Competitiveness

The DFA should be fully consistent with the EU's competitiveness agenda. Europe's digital businesses compete globally, and the rules they operate under shape their ability to invest, innovate and scale. Consumer protection and competitiveness are not opposing goals: a predictable, balanced framework benefits consumers and businesses alike.

We encourage the Commission to ensure the DFA is evidence-based, risk-based and technology-neutral. The principle of proportionality should remain central to the DFA, ensuring that any measures are appropriately calibrated to the risks they seek to address. It should target demonstrably harmful or unfair practices without unnecessarily restricting lawful business models or innovation that bring consumers better products and services.

2. Simplification

We welcome the Commission's commitment to simplify the rules for businesses and urge that this objective be delivered in substance. The EU consumer and digital framework has grown considerably in recent years, and its cumulative complexity weighs especially on smaller companies.

The DFA is an opportunity to streamline and modernise existing rules rather than add new layers. A harmonised approach across Member States, a focus on what matters most to consumers and the avoidance of unnecessary administrative obligations would allow businesses to devote their resources to serving customers rather than to compliance paperwork.

3. Legal clarity

Many of the issues under discussion are already addressed by recent EU legislation, including the DSA, the DMA, the AI Act, the GDPR and the existing consumer acquis. Several of these rules are still in their early years of application. New obligations that overlap with them risk creating uncertainty, inconsistent interpretations and duplicate enforcement.

We therefore ask that the DFA be coherent with the existing rulebook, clearly define its scope and its relationship to other legislation, and build on established concepts rather than introduce new, unclear ones, or novel interpretations of existing rules.

4. Enforcement

Before proposing new obligations, we encourage the Commission to first assess whether existing rules, including the UCPD, the CRD, the DSA and the CPC Regulation, are being effectively enforced. Effective enforcement of existing rules is one of the most powerful tools for strengthening consumer trust.

We call for more effective, consistent, harmonised and stronger consumer law enforcement, supported by adequately resourced authorities and close cooperation through the Consumer Protection Cooperation Network. Robust enforcement protects consumers, rewards businesses that play by the rules and ensures a genuine level playing field in the Single Market.

Conclusion

The signatories stand ready to work constructively with the Commission, the European Parliament and the Council towards a Digital Fairness Act that protects consumers and strengthens Europe's digital economy. A successful DFA will maintain a high level of consumer protection while supporting competitiveness, being simple to apply, providing legal clarity and being backed by effective enforcement.

We remain available to support the Commission with our expertise and practical experience and would welcome the opportunity to meet at your convenience to discuss these priorities further.

We look forward to engaging constructively throughout the legislative process.

Yours sincerely,

- ACT - Association for Competitive Technology
- AIG - Advertising information group
- BVDW - German Association for the Digital Economy
- CCIA Europe - Computer & Communications Industry Association
- Chamber of Progress
- Danish entrepreneurs
- Developers' Alliance
- Digital Association Lewiatan
- Digital Poland Association
- DOT Europe
- eco - Verband der Internetwirtschaft e.V.
- FEDMA - Federation of European Data and Marketing
- IAB Europe
- IATA - International Air Transport Association
- ISGA - International Social Games Association
- ITI - Information Technology Industry Council
- Middle Tech Europe
- Polish Confederation Lewiatan
- Startup-Verband (German Startup Association)
- Technology Ireland (Ibec)
- VGE - Video Games Europe
- ZPP - Union of Entrepreneurs and Employers (Poland)