

**To:** Ursula von der Leyen, President of the European Commission

**Cc:** Executive Vice President Stephane Séjourné, Commissioner Michael McGrath, Commissioner Ekaterina Zaharieva

Brussels, 17 October 2025

**Subject:** The 28th Regime must be a Regulation – not a Directive

Dear President von der Leyen,

On behalf of European founders and innovators, represented by Allied For Startups, EU-INC, and European Startup Network, and undersigned national startup associations and ecosystem partners, we write to express our deep concern over the leaked draft of the **2026 European Commission Work Programme**.

According to this document, the Commission intends to propose a “*28th Regime for innovative companies*” under “*Articles 50 and 114 TFEU*”. This poses two major problems. First, it would mean that the 28th regime would be a directive. Second, that it would only apply to a few companies and potentially only at some stages of their lifecycle. If confirmed, this would be a profound disappointment for Europe’s entrepreneurs and founders, who have counted on, and celebrated, the vision for Europe that you have shared with them.

At Italian Tech Week, in Turin, you said: “*We are proposing a completely new approach... one single and simple set of rules all over our Union. It will be the same in Turin as in Lyon, Barcelona or Munich.*” At Davos, during the World Economic Forum, you pledged that Europe would offer startups “*one single and simple framework across our Union*” for corporate law, labour law, and taxation. In Valencia, at the EPP Congress, you said it was “*time to break the chains*” of regulatory fragmentation holding European startups back.

President von der Leyen, a **Directive is not a 28th Regime**.

For founders, it will mean 27 transpositions, 27 interpretations, and 27 opportunities for divergence and delay. It means replacing one patchwork with another. What Europe’s innovators were promised was a *Regulation* – a true single regime, directly applicable across the Union.

In a time when innovation itself has become a matter of security, Europe must establish the legislative infrastructure to enable its entrepreneurs to build the technologies that will safeguard our citizens, create prosperity, and secure our shared future. Yet, while those very entrepreneurs are ready and willing to do their part, a “28th Regime” under Articles 50 and 114 TFEU, would once again let them down.

Because for the European startup ecosystem, this is not just a procedural nuance – it is the difference between scaling or stagnating, between competing globally or being left behind. The 28th Regime was meant to be the bold, unifying step that would finally make one company, one registry, one market a reality. Turning it into a Directive would make it just another missed opportunity.

The 2026 Working Programme is titled “Europe’s Independence Moment.” This independence comes into question when Europe’s most innovative companies – the very ones that could secure our autonomy and prosperity – will choose to continue to grow in Asia or the US because the EU cannot deliver the framework they were promised?

European founders still believe in Europe, they just need one framework, not twenty-seven. A genuine 28th Regime under Article 352 TFEU remains the only legal basis capable of creating the single, directly applicable European company form needed for Europe’s startups to scale and succeed. This means that next week, as the College of Commissioners adopts the Work Programme, you will have a historic opportunity to demonstrate your commitment to not only Europe’s founders, but also to Europe’s future.

**Respectfully,**

Allied For Startups, European Startup Network, EU Inc., Adigital, AustrianStartups, BESCO, CRO Startups, Czech Founders, Czech Startup Association, Danish Entrepreneurs, Dutch Startup Association, Estonian Founders Society, Finnish Startup Community, France Digitale, Estech, InnovUp, Italian Tech Alliance, OMGKRK, Roma Startup, SAPIE, scale-ups.eu | startups.be, Silicon Allee, Startin.LV, Startup Coalition, Startup Disrupt, Startup Valencia, Startup Verband – German Startup Association, Swedish Incubators & Science Parks.

Allied For Startups



EU-INC



European Startup Network



Adigital



Austrian Startups



BESCO



CRO Startups



Czech Founders



Czech Startup Association



Danish Entrepreneurs



Dutch Startup Association



Estonian Founders Society



Finnish Startup Community



Estech



InnovUp



Italian Tech Alliance



OMGKRK



Roma Startup



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Silicon Allee



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Startup Coalition



Startup Disrupt



Startup Valencia



Startup Verband – German  
Startup Association



Swedish Incubators &  
Science Parks



France Digitale

