

Brussels, 1st June 2026

Open Letter: Ensuring that the Digital Omnibus Truly Delivers Simplification

We are writing as businesses committed to Europe's digital economy and supportive of the objective of simplifying the EU regulatory framework.

A more coherent, proportionate and innovation-friendly digital rulebook is in Europe's interest in order to reduce unnecessary complexity, improve legal certainty and strengthen Europe's competitiveness. However, we are increasingly concerned that certain provisions of the proposed Digital Omnibus, in particular Articles 88a and 88b, risk achieving the opposite outcome. As currently drafted, these articles would introduce significant legal uncertainty, technical complexity and adverse economic effects on the digital industry, which will put at risk users' ability to access free or lower-cost online content and services.

While the majority of provisions in the Digital Omnibus are positive and welcome developments that focus on simplification and reducing compliance complexity, Articles 88a & 88b risk achieving the opposite by introducing new regulatory paradigms that go well beyond simplification, and cannot advance without a dedicated impact assessment. In particular, shifting the management of users' privacy choices away from controllers, notably towards browsers, risks distorting competition by reinforcing the market power of large integrated platforms (Article 88b). This could have severe consequences for publishers and businesses of all sizes relying on digital tools to reach new customers, while doing little to reduce consent fatigue. At the same time, the practical requirements around consent introduced by Article 88a overlook the operational and technical realities of the digital ecosystem. Changes of this magnitude require careful technical, legal and economic analysis, meaningful consultation with affected stakeholders, and sufficient time for policymakers to properly evaluate the consequences on businesses and their consumers. They go beyond the type of targeted simplification initiatives that the Digital Omnibus is intended to address, risking complexification for businesses rather than achieving meaningful simplification. We are concerned that the current pace of discussions would undermine these principles of better regulation as well as the positive changes introduced by the proposal.

Europe needs a digital framework that supports innovation, competition and consumer trust. We therefore respectfully call on the Council of the EU, the European Parliament and the European Commission to ensure that adequate time and scrutiny are afforded to assess the legal, technical and economic implications of Articles 88a & 88b, including through further consultation with stakeholders and technical experts.

Sincerely,

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