



Brussels, 18th February 2026

Digital Omnibus: Clear and Workable Rules for European Competitiveness

We, the undersigned associations representing a broad cross-section of Europe's digital ecosystem, welcome the European Commission's ambition to simplify and clarify the EU digital rulebook, reduce regulatory burdens, and maintain a high level of data protection.

We share the Commission's objective of making the data protection rules clearer and workable in practice, including addressing consent-fatigue and enabling businesses to operate across the Single Market with fewer frictions. If delivered effectively, simplification can strengthen user trust in digital services and support Europe's competitiveness and growth.

Against that backdrop, we are concerned that proposed Article 88b does not achieve the Commission's stated objectives. While we share the goal of reducing consent fatigue, the prescriptive elements of this new article, including the proposals to recognise centralised user choice mechanisms, risk creating new legal uncertainty, entrenching market power in the hands of a few actors and imposing significant implementation burden for businesses.

Centralised consent management will not solve consent fatigue. Channeling consent through browsers or other central tools would increase user friction and confusion, weaken the direct relationship between users and services, and undermine the GDPR's requirement for specific and informed consent. Already during the now-withdrawn ePrivacy Regulation and the Cookie Pledge, this solution was found to be non-compliant and unworkable.

This approach also raises severe economic concerns. By decoupling user choice from the service provider, it strips away context and the ability to explain the value exchange - consent to personalisation to sustain the provision of free services. This would erode revenue and hit firms unable to subsidise unconsented users the hardest - including the independent media publishers the Commission aimed to protect, as well as competing providers of other advertising-supported services. This would have an immediate impact on the capacity of such businesses to monetise their services online, thereby undermining their data-driven innovation and future investment as well as consumer choice and welfare.

For these reasons, we urge co-legislators to reconsider Article 88b (Article 3.15 of the Digital omnibus). Businesses and consumers deserve a more workable and robust rulebook that is effective across complex digital supply chains and supports Europe's competitiveness objectives. The introduction of this Article contracts the EU's competition and Better Regulation principles. Such a proposal would require a proper impact assessment.

The undersigned associations stand ready to support the Commission's simplification agenda with workable solutions that strengthen trust, reduce complexity and support Europe's competitiveness, including by abandoning the introduction of centralised consent tools.

We remain committed to constructive engagement and would welcome the opportunity to provide further technical input over a meeting.

Association of Commercial Television and Video on Demand Services in Europe |

<https://www.acte.be>

Allied For Startups | www.alliedforstartups.org

Audience Measurement Coalition | <https://audencemeasurementcoalition.eu/>

Ecommerce Europe | www.ecommerce-europe.eu

European Association of Communications Agencies | <https://eaca.eu/>

European Magazine Media Association | <https://www.magazinemedia.eu/>

European Newspaper Publishers' Association | <https://www.enpa.eu/>

European Publishers Council | <https://www.epceurope.eu/>

European Tech Alliance | <https://eutechalliance.eu/>

European TV and Radio sales houses | <https://www.egta.com/>

eu travel tech | <https://eutraveltech.eu/>

Federation of European Data and Marketing | <https://www.fedma.org/>

IAB Europe | <https://iabeurope.eu/>

Middle Tech Europe | <https://middletech-europe.eu/>

News Media Europe | www.newsmediaeurope.eu

World Federation of Advertisers | <https://wfanet.org/>