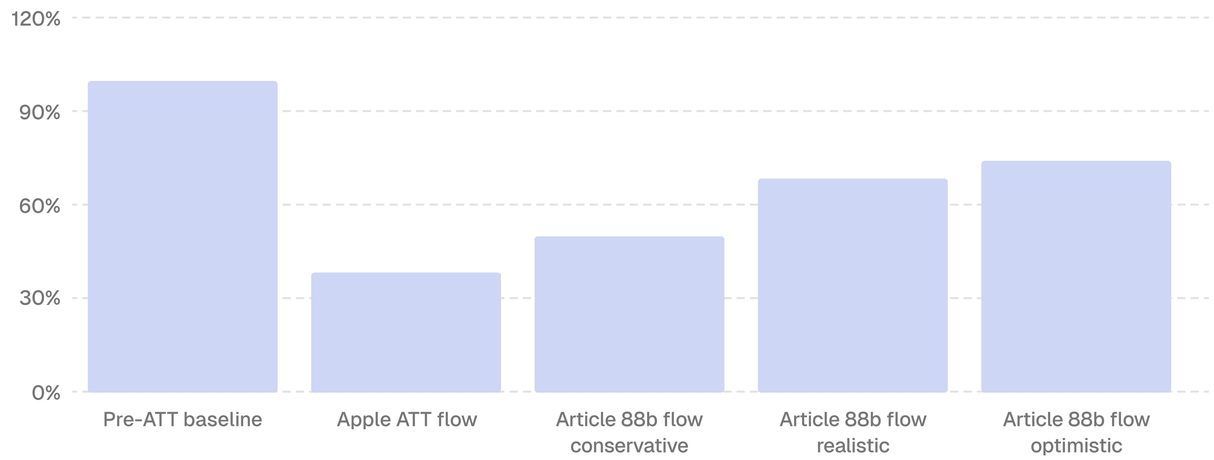
How can Article 88b Digital Omnibus address one of the biggest problems created by Apple's App Tracking Transparency (ATT)? Just compare the two click flows.

The following heuristic model calculation illustrates the potential positive effects of Article 88b Digital Omnibus for iOS/macOS app providers. The chart uses Apple's App Tracking Transparency Framework (ATT) as the starting point, mirroring the approach taken in Google's commissioned Implement study Gone in One Click.

ATT has reduced effective tracking rates substantially by complicating the consent flow and making consent to tracking unattractive for app users. Based on UX and conversion heuristics, simplifying the complicated consent flows through Article 88b could increase valid tracking consents by around 30–50% in a conservative scenario and by 70–100% in a realistic scenario. In many cases, this would nearly double the inventory available for personalised ads and marketing analytics.

Consent friction: ATT vs. Article 88b flow

Illustrative comparison using the ATT reduction cited by Implement/Google as the baseline and modelling the Article 88b flow as removing the additional ATT friction.



ATT: 60–65% relative drop in tracking rate cited by Implement/Google based on Kraft et al. (2023). Article 88b: heuristic scenario range, not empirical measurement.

Importantly, Article 88b would not restore the pre-ATT world. Some users genuinely do not want cross-app tracking and would continue to withhold consent. The purpose of Article 88b is thus not to increase consent rates by weakening privacy protections, but by simplifying consent flows and increasing the users' understanding of their benefits and risks of (different forms of) tracking.

In other words: whilst ATT offers its users more transparency and control, it unnecessarily complicates the consent process and makes tracking seem unattractive, regardless of the specific benefits and risks that the app entails. For users, however, it is the specific benefits and risks that are decisive, as these form the basis on which they decide whether or not to consent to the processing.

Article 88b would ensure that users make truly informed decisions by simplifying the consent process and clarifying the information that must be provided during the decision-making process. This, of course, requires the relevant wording to be included in Article 88b.

The example of ATT illustrates how decision-making processes should not be designed – and that Article 88b is about enabling users to make truly informed decisions, rather than nudging them, through repeated clicking actions, to either agree or refuse without understanding what this means for them in each case.

How does Article 88b improve the consent process?

The first graphic below shows the current situation under ATT. Users are often asked to give consent twice:

1. Consent to Apple's ATT (sharing its ad identifier (IDFA) / cross-app tracking)
2. Consent to the app provider's specific processing purposes (e.g. personalised advertising, marketing analytics)

Every click creates friction for end users. ATT's design is also regarded as discouraging users from sharing the IDFA. The result: lower consent rates and financial losses for app providers.

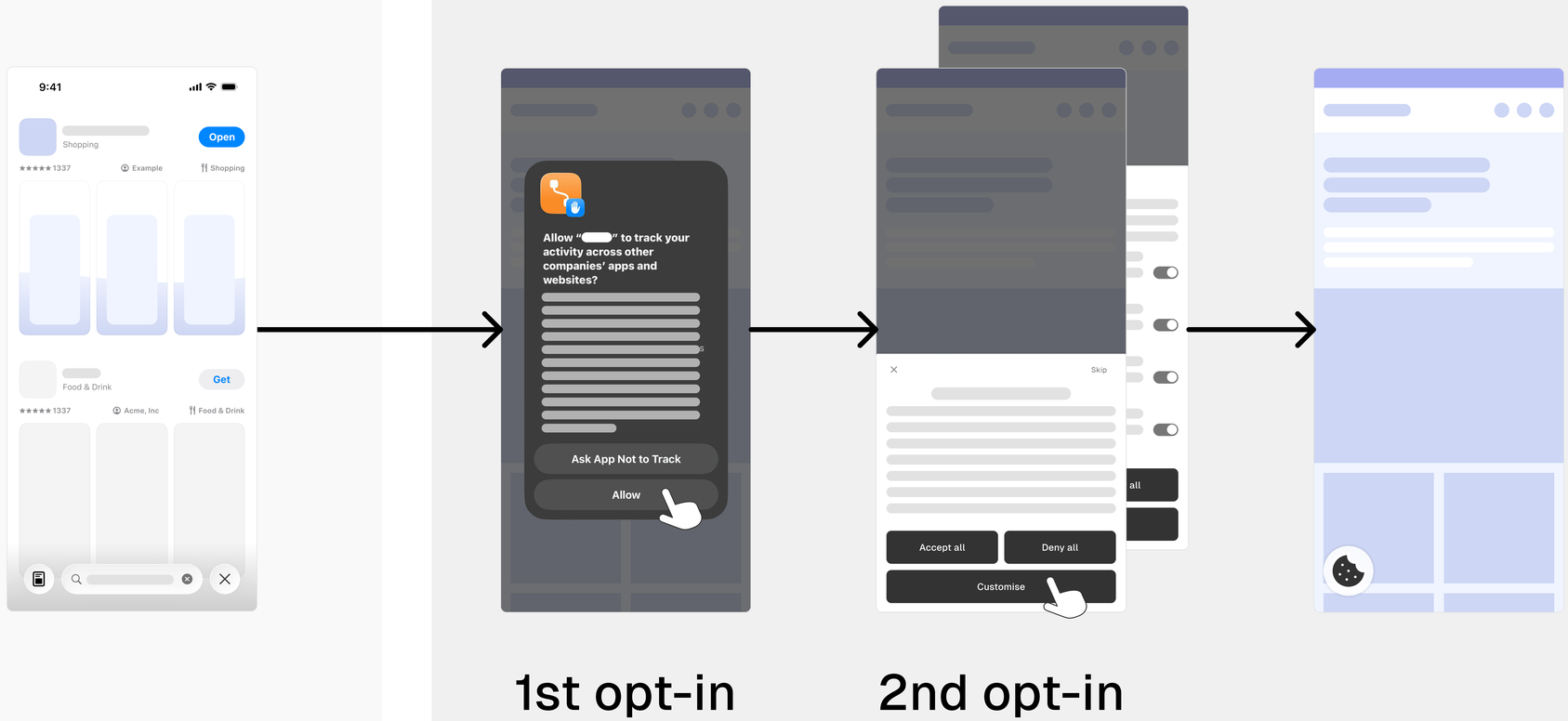
The second graphic shows how Article 88b can improve this process: Instead of asking users repeatedly, preferences are set once through a consent agent and then communicated to services through machine-readable signals.

In the process, users are informed in increasing detail about the specific level of data protection offered by the service. Users remain fully in control and can adjust their preferences at any time, but unnecessary click friction disappears.

Current situation: Apple’s ATT without Art. 88b Digital Omnibus

App Store

Service



1st opt-in

2nd opt-in

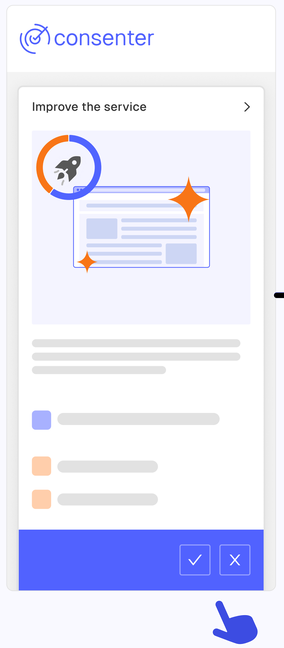
Every single app requires the following fatiguing double opt-in

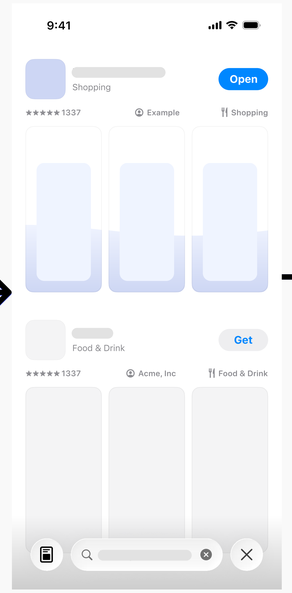
Art. 88b
Digital Omnibus

opt-in
preference

opt-out
preference

no action needed





opt-in
adjustment

Consent Agent

App Store

Service