

Slaying the Cookie Monster

How Finns and Estonians Can Fix the Web's Insufferable Pop-Up Economy

By Anda Bologa



Every European web user knows the ritual. Click on a website, and you are ambushed by a massive, legalese-filled banner demanding to know: *"Do you accept cookies?"* Exhausted and frantic to just read the article or buy the product, you click "Reject All" without thinking.

Finland and Estonia now share an opportunity to fix this Cookie Monster. Finnish MEP Aura Salla and Estonian MEP are leading the negotiations in the European Parliament over the "Digital Omnibus" package. The Omnibus attempts to simplify the rules by allowing users to set their privacy preferences once via their browser, operating system, or digital wallet, theoretically eliminating the need for banners on every single webpage.

Unfortunately, the proposed "simplification" may worsen the problem, not help it. By centralizing consent at the software level, Europe risks handing permanent gatekeeping powers to the handful of tech giants that already control the dominant browsers and operating systems. This shifts friction from the website to the browser while reinforcing the exact monopoly powers policymakers claim they want to curb.

Rather than curing the underlying disease, the proposal attacks symptoms. Present rules push fundamentally different digital tools into the same compliance box. On one hand, high-risk, intrusive practices track movements across the internet to build creepy personal dossiers. On the other, low-risk, routine operational functions that do innocent, essential plumbing to keep you logged into a site, remember your shopping cart, prevent credit card fraud, stop malicious bot traffic, or simply count how many people visited a page.

Both the basic page-counter or an anti-fraud security tool are treated with the same legal suspicion as deep surveillance tracking.

The toll of this "cookie tax" is not distributed equally. Big Tech gatekeepers can absorb the massive compliance costs, specialized legal armies, and engineering burdens required to manage audit trails. Small merchants and independent publishers suffer.

"Some merchants report losing up to 10% of potential customers who simply abandon the site the moment a complex banner pops up."

For e-commerce businesses, cookie banners act as a virtual "Do Not Enter" sign. Some merchants report losing up to 10% of potential customers who simply abandon the site the moment a complex banner pops up.

Independent publishers and news media face a severe revenue squeeze. Advertising funds journalism, but ad inventory loses massive value when publishers can't even prove basic, non-intrusive facts to advertisers—like whether a real human or a bot saw an ad, or how many times it was displayed. Starved of ad revenue, publishers are being forced to retreat behind business-killing paywalls or clumsy "consent-or-pay" models just to survive.

Other industries suffer too. Car companies complain that the need for cookie consent hinders their attempts to build connected and autonomous vehicles. Sportswear companies fear they will be unable to recommend the right trainers and clothing for a football or tennis match, much as a salesperson would in a physical shop.

True reform requires a bolder, risk-based reset. Europe can fix the web by taking three decisive steps:

1. **Shrink the Consent Surface:** Stop asking for permission for things that don't harm users. Websites must be explicitly permitted to use basic, low-risk

tools—such as audience measurement, ad-delivery verification, and fraud prevention—without a prompt. These operations should be allowed by default, provided the data collected is strictly limited to that purpose, kept briefly, and never reused for behavioral profiling.

2. **Reserve Consent for Real Intrusions:** Keep strict, prior consent frameworks exclusively for genuinely invasive data practices, such as cross-site tracking and the monetization of sensitive personal information.
3. **Shift the Focus to Ad Transparency:** Take a leaf out of the Digital Services Act's book. Instead of derailing a user's entire website journey with a pop-up, let user choice live directly within the advertisements themselves. Clicking an "Ads" or "Sponsored" tag should open a clean window allowing users to manage their preferences instantly.

Europe was right to champion digital privacy, but the execution has alienated users and penalized the firms least able to bear the cost. By focusing on actual, not theoretical threats, we can protect citizens, rescue independent journalism, and finally slay the Cookie Monster for good.

Dr Anda Bologa is a Senior Researcher with the Tech Policy Program at the Center for European Policy Analysis (CEPA).