



**TEST** achats

**ALTROCONSUMO**  
Il tuo punto di forza



**DECO**  
**PROTESTE**



Facebook  
4 Grand Canal Square  
Dublin 2  
IRELAND

Brussels, 22th March 2018

### **WARNING AND FORMAL NOTICE OF DEFAULT**

Dear Madam, Sir,

#### **GIVEN THAT**

- As a social network that offers consumers from all over the world a service to communicate and share digital content, Facebook manages a lot of personal data, which brings along a massive responsibility.
- The past few days both The New York Times and the Guardian reported about a very disturbing misuse of these personal data. Cambridge Analytica, an online consulting and marketing company, was able to harvest the Facebook data of more than 50 million people in an effort to profile users and eventually target them with political ads.
- It started already in 2014 when Aleksandr Kogan, a researcher at the University of Cambridge, asked users through the app "this is your digital life" to take a personality test, which allowed him to carry out a large scaled psychological profiling based on the online activities of users. In order to participate, users had to connect through the Facebook login, using their username and password. Around 270.000 participated at the test, which involved the sharing of some of their personal data that could be obtained from their Facebook profile. But it doesn't stop there. According to The Guardian and The New York Times the app was also able to collect data of the Facebook users' friends. This gave the researcher the raw information of more than 50 million people, data that was later handed over to Cambridge Analytica.
- It was only recently, on 16th March, when Facebook became aware of an imminent publication by The New York Times and The Guardian on this issue, that Facebook took action to put a stop to it.

c/o Test Achats asbl · Rue de Hollande 13 1060 Bruxelles [www.testachats.be](http://www.testachats.be)

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- The chronology of these events clearly indicates that Facebook again allowed a large scaled collection and sharing of user data, without putting the user in any position to be fully aware of this nor to agree with it. In 2016 as well, after WhatsApp was acquired by Facebook, the personal data of all users of WhatsApp were collected by Facebook without their consent. This resulted a.o. in a conviction and fine of the Italian Antitrust Authority of 3 million euros.
- With this behaviour Facebook, in our opinion, shows that it doesn't acknowledge and respect the important central role of consumers in the data economy, as it was clearly expressed in the "My Data is Mine" manifesto co-signed by consumer organisations from Belgium (Test-Aankoop/Test-Achats), Italy (Altroconsumo), Spain (OCU), Portugal (Deco Proteste) and Brazil (Proteste).
- The technology we created to expand our freedom should not develop into a system that coerces and controls us. We cannot relinquish our autonomy and freedom in exchange of our comfort. As consumer organizations that uphold the protection and enforcement of consumer rights as a crucial vehicle of access to citizens' fundamental rights on digital platforms, we are committed to making big data become a force for freedom rather than a force of concealed manipulation. In order to win this battle, we will not confine ourselves to adequate compliance with legislation, because observing rules and avoiding abuse should be matched with other, equally important action. We are therefore also committed to achieving the full acknowledgment and widespread defense of the central role of the human being in the information society as well as consumers' legitimate economic interests in the emerging market of data.
- The data Facebook uses, belong to the consumers. Therefore consumers must at all time have control over their data, know exactly for what purpose this is used, and should get a fair part of the value created by the companies using their data.

Based on the above, the Belgian Consumer's Association Test-Aankoop/Test-Achats (TA), the Italian Consumer's Association Altroconsumo (AC), the Spanish Consumer's Association Organización de Consumidores y Usuarios (OCU), the Portuguese Consumer's Association Deco Proteste and the Brazilian consumer organisation Proteste

## SEEK

- Facebook to provide us clear information on whether what happened with Cambridge Analytica also involves profiles from Belgium, Italy, Portugal, Spain and Brazil.
- And if so, what measures Facebook will implement to eliminate the consequences and risks for these consumers, and to guarantee the correct application and respect of their rights.
- Facebook to indicate how it will compensate consumers for the misuse of their data and how it will reimburse them the economic value that was gained out of the exploitation of the data belonging only to them.

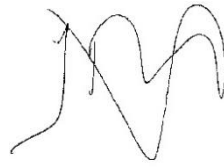
In the event where you would not comply with the mentioned above within 15 days, we will take further steps to protect the rights and interests of our consumers.

This letter is sent subject to reservation of all rights.

Yours faithfully,



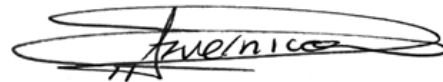
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