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Brussels, 27 March 2018

Subject: Facebook / Cambridge Analytica

Dear Dr. Jelinek,

I am writing on behalf of BEUC, the European Consumer Organisation, which represents 43 independent national consumer associations from 31 European countries. We would like to express our deep concern regarding the recent revelations about the exploitation and abuse of Facebook users' data by the political consulting firm Cambridge Analytica.

We urge the Article 29 Working Party to establish a taskforce to swiftly investigate if and how Facebook users in the EU might have been affected.

Based on news reports, it is clear from our perspective that there has been a breach of European data protection rules. The data of millions of Facebook users was siphoned without their knowledge or consent, then sold on and apparently used for a complete different purpose than the one that was initially established.

It also seems that Facebook did not adequately protect its users' data. Firstly, by carelessly giving access to third parties to its users' data. Secondly, by failing to take all the necessary measures to correct the situation once the abuse came to its knowledge, back in 2015.

We urge you to require Facebook to disclose if users in the EU were affected. If that was the case, we call on all European Data Protection Authorities to take the necessary actions to ensure that the companies responsible for these serious violations will be held accountable and to guarantee that those who have been affected will get appropriate redress.

Facebook must contact directly those users that were affected and explain publicly what it will do to protect its users from similar incidents in the future.

This is just the latest in the long list of privacy scandals in which the company has been involved in recent times. Just a few days after the Cambridge Analytica scandal came to light, another news article revealed that Facebook has been collecting call records and SMS data from Android devices for years¹. This also merits further investigation by the authorities. While we await the entry into application of the General Data Protection Regulation as of the 25th of May, these cases illustrate very well the need for strong data protection rules and the importance of effective enforcement.

Almost the entire online ecosystem is currently based on 24/7 commercial surveillance. We are now seeing that this is not only a threat to consumers' fundamental rights but also to our democracy. Authorities must keep a close eye on those that, like Facebook, Google and the entire online behavioural advertising industry, have made of the monetisation of consumers' data their main business.

¹ <https://www.theverge.com/2018/3/25/17160944/facebook-call-history-sms-data-collection-android>

Facebook is used by millions of people across the European Union and the Cambridge Analytica is based in the UK. This case has a clear EU-wide impact. People from many countries are potentially affected. We trust that the Article 29 Working Party, and the future European Data Protection Board, will make use of all the tools at its disposal to tackle this kind of cases and ensure a coordinated response at EU level.

Finally, we would like to take the opportunity to congratulate you on your appointment as Chairwoman of the Working Party. We look forward to establishing a close cooperation and supporting DPAs in ensuring the best protection of consumers' privacy in Europe.

Yours sincerely,

Monique Goyens
Director General
BEUC