

# Media update

Update: May 11<sup>th</sup> 2012

europe-v-facebook.org

Version 3

## Success for Austrian student group? Facebook changes worldwide privacy policy

Facebook has announced today that it will change its worldwide Privacy Policy ([Link SiteGov](#)). This is the latest success for the grass root privacy campaign “europe-v-facebook.org” run by a couple of university students from Vienna, Austria. Max Schrems, speaker of “europe-v-facebook.org”: “*We are of course extremely happy that we were able to get this multinational to change its worldwide policy with a couple of simple complaints. At the same time we are very worried about what the new policy is saying. If seems like Facebook is not going one step forward, but two steps back.*”

**Background.** Facebook’s changes are not done out of self-restraint. The Austrian student group has filed 22 complaints against Facebook at the responsible Irish Data Protection Authority. This has led to a report that was published in December 2011. The report required Facebook to change its policies until March 2012 (see [Report](#), page 42). While Facebook has ignored the deadline, they are now taking the necessary steps.

**Improvements?** After studying the new text we cannot see any real improvements. Max Schrems: “*At first sight, it seems like Facebook tries to ‘white wash’ the problems by just writing the illegal practices into their policies. This seems more transparent, but in fact they are taking a step in the wrong direction. We have the feeling that an average user is still unable to quickly find out what Facebook is doing with all the personal data.*”

**Does our data still belong to us?** Something totally new is Facebook’s new paragraph on the “controller” of the data on facebook.com. In the new policy Facebook is now claiming that it is the controller of all data users post even on their personal pages, so far most experts said that the user is the controller of such sites. This little change means that the users lose all their rights to control their data as soon as Facebook gets them. Max Schrems: “*European data protection law centers around the controller. If Facebook is now becoming the controller of our data, this is just like an expropriation.*”

**Alternative Suggestions.** Facebook says that it will have a vote on changes if 7,000 users post similar comment on particular changes. We will now utilize this pledge and publish a list of changes we think Facebook has to undertake in order to be compliant with European legislation on [www.our-policy.org](#). The page will be online in the as soon as possible, very likely around midnight (CET). Max Schrems: “*We want to beat Facebook not only with the European law but also on its own platform. If we make the 7,000 comments within 7 days they have a serious problem. We are calling for all Facebook users to get informed on our-policy.org tonight and join us in the fight for more privacy!*”

**IPO.** The date of these changes seems to be exactly chosen. Shortly before the IPO, Facebook wants to cover its massive shortcomings in respect to European privacy laws. Max Schrems: “*Of course it is important to Facebook that investors think that the ‘data harvesting’ can go on just like now.*” In fact, the cooperation is still very far away from the strict European regulations.

**Future in Europe.** It is foreseeable that Facebook will experience massive restrictions and regulation in the coming years. Especially the European Commission made it rather clear that it will sooner or later take action against the misconduct by Facebook. There is also a growing number of proponents calling for breaking Facebook's monopoly by forcing it to implement an open standard. Such a standard would allow users to choose another social networking provider, but still stay in touch with their friends on Facebook. This proposition would be typical for European regulation and would finally ensure serious competition.

**Not the End.** For us this is just another partial victory on our (lengthy) way to make Facebook comply with the law. In most instances, Facebook is still ignoring the law, partially because there is a massive lack of enforcement. We are committed to keeping on fighting and we will further insist that the Irish Data Protection Commissioner ensures that all users will enjoy their right to privacy when using social media. To do so we have started a separate NGO that is collecting donations for a legal battle against Facebook. We hope for numerous donations.

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#### **MORE INFORMATION:**

General media information, pictures and contact details can be found on our webpage:

<http://www.europe-v-facebook.org/EN/Media/media.html>

E-Mail (preferred): [media@europe-v-facebook.org](mailto:media@europe-v-facebook.org)

Phone: +43 664 4954735 (*We may be unable to answer all calls!*)