

## Austrian Students force Facebook to have a worldwide vote on new privacy policy.

Today (Friday) in the evening Facebook has published a voting mechanism on its page that allows users to vote on the changes that Facebook proposed 4 weeks ago. Facebook has a regulation that is binding itself to have a vote whenever more than 7.000 users comment on a particular change. The campaign "[www.our-policy.org](http://www.our-policy.org)" managed to do so and raised about 40.000 comments in one week.

**Improvements.** Many changes would enable Facebook to further increase its capitalization on the users' data. Facebook also tries to make itself the "controller" for all data. A European legal term that says, that Facebook is the "owner" of all data on the platform. In fact this is depriving the users of all their rights to their data. Instead of only criticizing the shortcoming, we, the group "europe-v-facebook.org", have made a list of suggestions for improvement and put it online at [www.our-policy.org](http://www.our-policy.org). We wanted to show that a better privacy policy is possible. Subsequently the users were asked to post this link, what thousands of them have done. Max Schrems, speaker of europe-v-facebook.org: *"40.000 users have trusted us more than Facebook, this shows the intense the mistrust by many users has become."*

**Between a Rock and a hard Place.** Despite our constructive efforts Facebook is totally ignoring the suggestions on "our-policy.org" and lets users only vote between the old and the new privacy policies. The old version was clearly illegal under European law and the new version is making things even worse. *"The user does not really get to vote on the content of the 40.000 comments. Right now we would suggest to rather vote for the old policy, since this would force Facebook to take another attempt to comply with the Irish regulators."*, says Max Schrems. *"At the same time we are wondering how long Facebook wants to keep on playing this tiring game. It's time that they simply comply with the law, just like any other company."*

**Suggestions ignored.** The broadly supported suggestions on "our-policy.org" are totally ignored by Facebook. In an interview a spokesperson says that the platform would not work that way (see [techcrunch](http://techcrunch.com)). We knew that this argument would be coming, so we were very keen on just suggesting what is the minimal standard under European law. Schrems: *"If we would have asked for all our wishes they would have to do way more. We have just asked for the minimal changes to make them complaint with European laws. If Facebook is not incorporating these suggestions it would be simply illegal in Europe."*

**Imagine there is an election and no one is told.** Besides gathering 7.000 comments Facebook also requires to have 30% of worldwide Facebook users take part in the vote so that it sees the outcome as binding. Until now Facebook has only shared the link on its "Site Governance Page", which would make sure that the participation would by no means reach the 30% within 7 days. Max Schrems: *"If Facebook will ask all users to vote is currently uncertain, if they don't this would indicate a rather 'Chinese' understanding of democracy at Facebook. So far Facebook is having a vote with hidden polling stations."*

**Getting rid of the mechanism?** In a couple of American Media there is speculation if Facebook will now get rid of the comment and vote mechanism. It seems that 7.000 comments became a low number to block changes, now that Facebook went public and has to make as much money as possible. Max Schrems: *"Personally we would understand if Facebook is amending this mechanism, even though it has that bitter taste of 'democracy is only respected if it brings the right results'. We think it perfectly shows how this platform is changing from a user based system to a money driven cooperation."*

**Background.** Last summer "europe-v-facebook.org" filed 22 complaints with the responsible Irish Data Protection Commissioner. Following that, the authority issued a first report in December 2011, according to which Facebook has to adapt its privacy policy worldwide to European law ([link](#)). The new privacy policy proposed by Facebook would have worsened many issues and did not comply with the Irish conditions. Correspondingly, the Irish Data Protection Commissioner has raised its concerns over the policy, the German Data Protection Agency has reacted similarly ([link](#)).

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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>

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