



## EUROCONSUMERS CLASS ACTION AGAINST FACEBOOK, THE ITALIAN REGIONAL ADMINISTRATIVE COURT MADE AN HISTORICAL JUDGMENT: OUR DATA HAS VALUE

*The decision confirms the position by Euroconsumers (Altroconsumo, Test Achats/Test Aankoop, DecoProteste, OCU): Facebook has implemented an unfair commercial practice by providing its users with incomplete and non-transparent information related to the use of personal data.*

*The Italian Regional Administrative Court also confirmed the €5 million fine that Italy's Antitrust Authority imposed on the US social media giant in December 2018.*

*Milan (Italy), 10th January 2020 - A sensational ruling that recognises once again the validity of Euroconsumers' class action against Facebook.*

Today the Regional Administrative Court of Lazio confirmed the 5 million euro fine that Italian Antitrust Authority had imposed on Facebook in December 2018 for unfair commercial practices. The Italian administrative judge stated that the US social media platform giant has concealed the value of personal data by providing users with generic, incomplete and non-transparent information (about the use of data for commercial purposes) when registering on the platform.

The Regional Administrative Court has, for the first time, recognised that personal data has a negotiating value and may, therefore, be susceptible to economic exploitation.

"Today's ruling makes history because it creates an important precedent in Italian legislation," says Marco Pierani, Public Affairs and Communication Director at Euroconsumers. "In the data economy era, our battle is about putting citizens first. Now let's wait for the court to admit our class action against Facebook. Over 125 thousand Italian consumers have already joined the battle. In Europe, there are over 250 thousand signatories waiting to be refunded."

### **The Facebook Class Action**

Early 2018: the Cambridge Analytica Scandal breaks loose as it was revealed that the data of millions of Facebook users was shared with a third party enabling it to profile consumers and target them with, in this case political ads.

However, it quickly became clear that Cambridge Analytica was not an isolated case, but merely a tip of the iceberg and an indication of a general business practice on behalf of Facebook.

Since the very beginning of this scandal, Euroconsumers has held Facebook to its responsibility, sending the social network organisation a formal warning with a set of clear demands on behalf of more than one and a half million consumers it represents: How is Facebook going to compensate the victims of the Cambridge Analytica scandal and all other consumers whose data has been misused by the social network



platform? How will Facebook make sure this does not happen again and ensure that consumers are in full control of their data?

These demands were also re-emphasised during Euroconsumers' meeting with Facebook on 11th April 2018 and relaunched ahead of the hearing of Mark Zuckerberg in the European Parliament. Unfortunately, the answers we received were not all too satisfying. Although Facebook does admit that "personal user information has been improperly shared", it is very clear that Facebook has no intention at all of compensating consumers for the misuse of their data. Consumers merely get an apology!

That just will not do. Consumers deserve more respect and acknowledgement given their central role in the data economy, as was clearly expressed in Euroconsumer's "[My Data is Mine](#)" manifesto. That is why Euroconsumers started a class action in Belgium, Italy, Spain and Portugal against Facebook, asking a compensation of at least €200 for all Facebook users for the misuse of their data. So far almost 250.000 consumers registered to join our efforts.

It should be clear that the data Facebook uses belongs to the consumers, and only to them. Therefore, consumers must at all times have control over their data, know exactly for what purpose it is being used, and should get a fair part of the value created by the companies using their data. And when consumers are cheated, they should be compensated. It is as clear as that! #MyDataIsMine #NotYourPuppets

#### **About Euroconsumers**

Euroconsumers is the world's second-largest consumer cluster, representing five national consumer organisations and giving voice to a total of more than 1.5 million consumers. Our organisations work closely together with BEUC and Consumers International to ensure safe, fair and honest relations between consumers, businesses and authorities.

[www.euroconsumers.org](http://www.euroconsumers.org)

For more information please contact

#### **Simone Ceruti**

*Partner at BOLDT*

[simone.ceruti@boldtpartners.com](mailto:simone.ceruti@boldtpartners.com)

#### **Lou Juget**

*Account Consultant at BOLDT*

[lou.juget@boldtpartners.com](mailto:lou.juget@boldtpartners.com)