

Contact: Johannes Kleis: +32 (0)2 789 24 01
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Facebook/WhatsApp merger: BEUC welcomes fine but regrets failure to tackle consumer data concerns

The European Commission confirmed today that Facebook misled the EU's competition body during the 2014 investigation into the acquisition of WhatsApp.

The decision came after WhatsApp changed its privacy policy in 2016 and started sharing the personal data of its users with the parent company Facebook. During the merger Facebook told the Commission that it would be unable to link its user accounts with those of WhatsApp.

The European Consumer Organisation welcomes today's fines but regrets that the European Commission has not re-opened the initial decision on the acquisition, which was cleared without conditions.

Monique Goyens, Director General of The European Consumer Organisation (BEUC), commented:

"It is unacceptable that consumers are continuously exposed to the misuse of their data by Facebook. The acquisition of WhatsApp was just one step to strengthen the market power of the social media company. Today's decision confirms that Facebook provided misleading information to the European Commission to hide its real plans concerning the future of WhatsApp and of its users' data.

"It is very disappointing that the Commission decided not to revise its original decision on the Facebook merger with WhatsApp. It is crucial in our data economy that competition bodies more closely scrutinise the potential consumer harm of a merger between data-heavy companies. The Commission failed to do so when it gave the go-ahead to the Facebook/WhatsApp takeover. This case also shows the need for antitrust bodies to cooperate more closely with privacy bodies, who are currently looking at how Facebook is using personal data, to ensure that consumers can trust companies in the online world.

"European consumers shop, work, study and enjoy themselves online and digital companies have successfully helped to make this happen. But our reliance on a few big players is turning their fancy tools into a sour experience."

BEUC's German member, the Federation of German Consumer Organisations (vzbv), went to court against WhatsApp alleging that the messenger company unlawfully shares user data with Facebook.¹

ENDS

¹ <http://www.vzbv.de/pressemitteilung/vzbv-verklagt-whatsapp-verbraucher-muessen-hoheit-ueber-daten-behalten>