

**Question for written answer E-000393/2021
to the Commission**

Rule 138

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Subject: Preventing WhatsApp from once more abusing its users' personal data

WhatsApp is asking its users to accept its new terms and conditions in order to continue using the application beyond 8 February 2021, a deadline has since been extended to 15 May¹. Facebook (WhatsApp's owner), claims the new policies only serve to facilitate e-commerce².

The risk this poses to personal data remains unclear, however, a concern raised by the Italian Data Protection Authority on Thursday, 14 January 2021³. The Commission has already fined Facebook EUR 110 million for misleading the Commission and WhatsApp users⁴, but has refused to withdraw its prior authorisation for the merger⁵.

By way of comparison, when the French railway company Alstom announced a merger last year, the EU's competition authorities only approved it on the proviso that Alstom would sell of its plant at Reichshoffen⁶.

It is worrying to learn that Facebook has already set aside EUR 302 million to cover expected fines in Europe⁷.

Will the Commission undertake to stop Facebook again breaking privacy rules and, if it cannot, will it consider revoking its approval of the previous merger between Facebook and WhatsApp?

¹ https://www.lemonde.fr/pixels/article/2021/01/15/whatsapp-repousse-de-trois-mois-ses-changements-de-conditions-d-utilisation_6066444_4408996.html

² <https://www.france24.com/en/americas/20210116-whatsapp-delays-enforcing-new-privacy-policy-following-backlash>

³ <https://www.reuters.com/article/us-italy-facebook-whatsapp/italian-data-authority-takes-aim-at-whatsapps-privacy-disclaimer-idUSKBN29J2IX>

⁴ <https://www.dw.com/en/whatsapp-update-to-expand-data-sharing-sparks-criticism/a-56164619>

⁵ <https://www.bloomberg.com/news/articles/2021-01-11/why-whatsapp-s-privacy-rules-sparked-moves-to-rivals-quicktake>

⁶ <https://www.euractiv.com/section/railways/news/eu-clears-rail-merger-creation-of-worlds-second-largest-trainmaker/>

⁷ <https://www.politico.eu/article/facebook-earmarks-e302m-for-privacy-fines/>