



**June 13, 2018**

Dear Mark Zuckerberg,

Once again, Facebook is making headlines for its disregard of users' privacy and the protection of personal data. In [Europe](#) and in the [United States](#), Facebook is being investigated for the [disproportionate and unauthorised](#) transfer of data to Cambridge Analytica which was used to target and influence users around elections. In the midst of these investigations, *The New York Times* [revealed](#) last week that Facebook gave device makers deep access to users' data. Further reporting [has indicated](#) that some of these contracts with device makers may have bypassed users' established privacy settings and this has raised questions about relationships between these companies and certain governments.

Facebook is an important platform for people around the world to communicate, work, and share their experiences, but as we continue to learn more about your company's current and past activities that have undermined human rights, we call on Facebook to submit to an independent audit of its data processing practices as well as a global human rights impact assessment. We acknowledge that the company has announced steps to address some of these concerns, but clearly the time has come for greater reforms and independent review.

We further urge Facebook to provide more information on its practices and to take comprehensive measures to respect users' rights. We have learned that in the early days of mobile, Facebook reached data-disclosure partnerships with at least 60 device makers before apps were widely available on smartphones.

- Given that we are past these early days, can Facebook indicate how many of these relationships still persist and why?
- If relationships have been terminated, when did such terminations occur and what steps were taken to ensure that data with such manufacturers was erased?
- Can you tell us in details, what information from Facebook users was disclosed to device makers?
- Does Facebook collect information from the users' devices outside its apps, including information generated by the devices?

In a reaction to the reporting, Facebook mentioned in a [statement](#) that the company is "not aware of any abuse by these companies."

- What steps has Facebook taken to ensure that no abuse took place?
- What steps has Facebook taken to notify users whose privacy settings were overwritten by device makers? What compensation is Facebook prepared to offer these users?

- Why did you, as CEO of Facebook, fail to disclose these agreements before hearings and inquiries in the United States, Europe, and around the world?

Answers to these questions are a necessary first step to better understand the way Facebook processes and transfers users' information. We call on Facebook to release a copy of the agreements with device makers, who, for their part, should likewise detail the extent of data accessed, collected, or processed through these deals.

Given the recent revelations regarding misuse of data between the company and third parties, we urgently call for an independent external audit of data processing by Facebook, complemented with a general human rights impact assessment, informed by affected communities globally. As our organization and 77 other human and civil rights groups, faith-based investors, foundations, and impact investment firms [recommended](#) last month, reforms should be integrated into the structure of the company, starting with the Board, and benchmarked through regular disclosures. Currently, Facebook's [transparency report](#) provides no information on user data requests from entities other than governments. Facebook should urgently add statistics and relevant policies, including on its processes and the basis for decisions regarding private requests for user data, into this report.

Facebook should do more to protect user privacy and data protection. The company should confirm that it will apply the rights encompassed under the General Data Protection Regulation at a global level, rather than attempting [legal strategies](#) to prevent these rights from applying to individuals not located in the EU.

Finally, it is increasingly clear that data protection laws are necessary to define appropriate standards for the protection of data collected and used by Facebook, and to provide remedies when those standards are not complied with. While your company has spent energy and money [trying to limit](#) the EU data protection reform and the ongoing review of the EU ePrivacy legislation, we urge Facebook to change its approach and attitude. Facebook should "come to the table" and publicly pledge to support new and updated data protection laws in the United States, India, Tunisia, and countries around the world.

We would be pleased to talk with you in some detail regarding this letter and look forward to your answers to these questions and proposals.

With best wishes,

### **Access Now**

*For more information and/or to arrange to a follow up discussion*

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