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<sup>1</sup> <https://www.forbes.com/sites/bethkindig/2020/09/29/palantir-ipo-deep-dive-analysis/>  
<sup>2</sup> [https://www.europarl.europa.eu/doceo/document/E-9-2020-000173-ASW\\_EN.html](https://www.europarl.europa.eu/doceo/document/E-9-2020-000173-ASW_EN.html)  
<sup>3</sup> <https://www.euractiv.com/section/digital/news/eu-commission-pressed-on-controversial-links-to-palantir/>

4. It was revealed that since 2016, Europol has been using the 'Palantir Gotham' software for operational analysis in an anti-terrorism task force.<sup>2</sup> This raised concern among members of the European Parliament, such as the Dutch MP Sophie in 't Veld, who questions the risk of data processed by Palantir:<sup>3</sup>
3. Palantir is described as a controversial and secretive company that focuses on big data and data mining to provide services to government agencies and commercial corporations. Its tools are primarily aimed at surveillance and security and often involve the processing of large amounts of extremely sensitive or proprietary data.<sup>1</sup>

**The role of Palantir within the EU**

1. SOMI is a knowledge center, think tank and consumer representative foundation that focuses on data security and privacy protection for all European citizens.
2. So far, over 10,000 participants have registered with SOMI to be informed about their digital rights and have their interests represented. They have authorized SOMI to act against the violation of their rights by Palantir, as described below, and to exercise the rights granted to them by the GDPR and other European laws.

**SOMI**

On behalf of Stichting Onderzoek Marktinformatie (translated to the 'Foundation for Market Information Research', hereinafter: 'SOMI') and our represented participants in this matter, we hereby submit the following complaint letter regarding Palantir Technologies Inc. (hereinafter: 'Palantir'). The complaint relates to several violations of the European Convention on Human Rights (hereinafter: 'ECHR'), the General Data Protection Regulation (hereinafter: 'GDPR') as well as a potential conflict of interest with the EU member states.

Dear Sir or Madam,

Draft: February 26, 2021  
 Our ref.: 3  
 Your ref.: -

Also per e-mail: [privacy@palantir.com](mailto:privacy@palantir.com)

REGISTERED MAIL  
 Palantir Technologies Inc.  
 Attention: Legal Department, Privacy  
 100 Hamilton Ave., Suite 300  
 Palo Alto, CA 94301

*"Does the commission [...] consider a company with the track record of Palantir, and subject to US jurisdiction, an appropriate partner for the European Union and suitable to be entrusted with the most sensitive personal data of European citizens?"*<sup>4</sup>

5. Other European clients of Palantir include the French intelligence agency DGSI, the Danish national police, German police in Hesse and North Rhine-Westphalia<sup>5</sup>, the Dutch police<sup>6</sup> as well as civic EU-institutions.<sup>7</sup> Neither Palantir nor agencies that use it are willing to share information about the nature and extent of these and other collaborations, but the use of Palantir software by these agencies remains controversial.

6. With its last years' initial public offering (hereinafter: 'IPO'), Palantir also aims to expand its horizon and attract more commercial corporations as clients. Currently Palantir already has some of Europe's biggest corporations as clients, such as Airbus, BP, Ferrari and Merck.<sup>8</sup> This list is only bound to grow due to the increased exposure following the IPO and the increased focus of corporations on big data.

### **Discrimination and bias in Palantir search algorithms**

7. Palantir's software can have a significant impact on the European society and may lead to violations of basic human rights. Palantir's search algorithm facilitates discrimination and contains a bias regarding certain races or ethnicities, political opinions and religious beliefs. In the US, the use of Palantir software has already resulted in racial profiling and targeting of vulnerable communities.<sup>9</sup> Another example, is the role Palantir played in the deportation of immigrants by the ICE in the US and the separation of immigrant families.<sup>10</sup> This does not only show a lack of principles, it also constitutes a clear violation of article 14 ECHR, which prohibits discrimination on any ground, including race, religion and national origin.

8. Where other technology companies refuse morally rejectable contracts, Palantir seems to prioritize its relationship with the US government. Palantir's CEO, Alex Karp, has demonstrated this by claiming Google took a 'loser' position when Google ended its AI contract with the Pentagon because it could be used for lethal purposes,<sup>11</sup> as well as by its stance in the ICE discussion and its fear to damage its reputation with the US government.

<sup>4</sup> <https://www.euractiv.com/wp-content/uploads/sites/2/2020/06/2020.06.10-Letter-to-Commission-Palantir.pdf>

<sup>5</sup> <https://digitalsites36.net/2020/06/11/europol-uses-palantir/>

<sup>6</sup> <https://fd.ni/achtergrond/1359235/geen-belegger-weet-wat-databedrijf-palantir-eigenlijk-doeft>

<sup>7</sup> <https://algorithmwatch.org/en/story/palantir-the-secretive-data-behemoth-linked-to-the-trump-administration-expands-into-europe>

<sup>8</sup> <https://www.sec.gov/Archives/edgar/data/1321655/000119312520230013/d904406ds1.htm> (p. 162-163)

<sup>9</sup> <https://futurism.com/lapd-documents-show-their-policing-algorithms-continue-to-target-minorities-and-past-offenders>

<sup>10</sup> <https://www.vice.com/en/article/pkeg99/palantirs-ceo-finally-admits-to-helping-ice-deport-undocumented-immigrants>

<sup>11</sup> <https://www.forbes.com/sites/bethkindig/2020/09/29/palantir-ipo-deep-dive-analysis/>