

SOMI Foundation Starts A New Collective Claim Against X (Twitter)

Amstelveen, August 16th, 2024 - Following extensive research, the Foundation for Market Information Research (SOMI) announces its lawsuit against X (Twitter) for violations of fundamental rights concerning data protection and consumer protection.

Despite European legislation on data and consumer protection, X has knowingly violated the rights of its millions of users for years.

Various European bodies have initiated enforcement actions; complaints have been filed by affected parties, and fines have been imposed by several European privacy regulators. In December 2023, the European Commission launched a formal infringement procedure against X. Initial investigation results confirm suspicions that X is not complying with the Digital Services Act (DSA). The European Commission has identified several serious violations of the DSA and intends to impose a fine.

However, X continues its illegal practices for commercial gain and fails to take measures to make the X platform a safe place. On one hand, X fails to implement necessary measures for the security of its platform and content (such as measures against hate speech); on the other hand, X maximizes its earnings through advertisements in an unlawful manner without being transparent about it. SOMI, on behalf of X users, cites breaches of various obligations under the GDPR, the DSA, and the Dutch implementation of the Unfair Commercial Practices Directive.

With this procedure, SOMI aims to stop X's unlawful practices and hold X accountable for its obligations as a provider of a Very Large Online Platform. Additionally, SOMI demands compensation for all X users affected by X's unlawful behavior.

This case could set an important legal precedent for both Dutch and European courts.

Data Breaches

Since January 2022, there have been at least four data breaches at X, where the personal data of its users repeatedly ended up on the Dark Web. SOMI has investigated these data breaches, which participants of its actions can check via the SOMI app. Despite these serious breaches, X failed to take appropriate security measures to protect the data of its users. Furthermore, X violated the GDPR by not (promptly) notifying authorities and affected X users of the data breaches.

Hate speech

As a Very Large Online Platform (VLOP), as designated by the European Commission, X also fails in its duty to effectively address content motivated by hate, prejudice, or intolerance. This is not surprising, as it is well known that social media platforms like X generate most of their revenue from advertisements and thus have the most financial interest in keeping the attention of their users and visitors as long as possible. Posts that elicit the most hate and outrage attract the most attention.

Additionally, X's decision to significantly downsize its moderation team has created an environment where hateful, intolerant, and other harmful content can spread more easily. Meanwhile, X continues to withhold information on how it actually combats such hate speech on its platform and what results are achieved.

Microtargeting

X enables targeted advertising based on sensitive personal data such as political views or religious beliefs of X users. This so-called 'microtargeting' occurs for X's commercial purposes without a legal justification. It also happens without users being aware of it.

For instance, in September 2023, the European Commission used X's advertising service to promote the highly controversial proposed regulations for chat control on the X platform.

X ensured that the European Commission's advertising campaign did not appear to users who value privacy by using political keywords such as "Brexit", "Nigel Farage" or "Giorgia Meloni".

People who are interested in "*Christianity*", "*Christian-phobia*" and "*anti-Christian*" were also excluded. And this case is not unique. SOMI identified several similar cases where targeting based on political opinion, religion, or sexual orientation took place on the platform.

Microtargeting based on such sensitive personal data not only leads to a gross violation of the privacy rights of X users but also poses a direct threat to democracy. This violation is particularly striking since X's advertising guidelines explicitly prohibit the use of sensitive data such as political views and religious beliefs for ad targeting.

These violations highlight a pattern of disrespect for the rights of European citizens, a lack of transparency, and negligent responsibility with serious consequences for X users. It is clear that X has acted unlawfully and unjustly enriched itself at the expense of its users. These practices have caused damage. Therefore, SOMI demands that the unlawful conduct cease and compensation be provided on behalf of the affected X users. Registration is free. Visit www.Twitterclaim.org.

For more information and additional documents, please contact welcome@soml.nl.

About SOMI

The Foundation for Market Information Research (SOMI) is a non-profit organization set up to identify and influence issues of social importance.

SOMI is a recognized claims foundation in the field of privacy and data autonomy and is committed, among other things, to the protection of the fundamental rights of consumers and minors who use various online services. With the app that SOMI has developed, we want to restore ownership and control over personal data to all the people: All your data. all yours.

SOMI investigates abuses, informs the public and helps injured parties. SOMI does this by conducting collective proceedings and claiming compensation.

SOMI is currently investigating alleged GDPR violations by TikTok, Meta (Facebook) and X (Twitter).