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Amazon has you pay twice: with money *and* with your data

The Dutch privacy foundation Stichting Data Bescherming Nederland is suing Amazon for massive privacy violations and demands damages on behalf of every Dutch Amazon account holder.

Amsterdam, 27th June 2023 – Tech giant Amazon engages in the illegal, large-scale collection and processing of user data and in so doing violates both data protection and consumer laws. Stichting Data Bescherming Nederland (SDBN) in the Netherlands insists that Amazon stops this activity immediately and in addition demands compensation for all Dutch Amazon account holders. Any Dutch person with an Amazon account can support SDBN's case.

Amazon is the largest online retailer in the world, but in recent years it has grown into a data-driven company. Unbeknownst to its users, the company also collects personal data on a large scale both on and outside its platform. Amazon uses this data to compile profiles that earn the company big money in the online advertising industry. Chairman of SDBN Anouk Ruhaak: *"Amazon is known as a web store, but its account holders have become its most important and profitable product. Amazon exploits consumers in unacceptable ways. That has to stop immediately."*

Covert data extraction

Research conducted by SDBN found that Amazon not only gathers personal data through its own platforms but also tracks the online activities of account holders on external websites. This tracking involves the illegal placement of tracking cookies, as well as monitoring the browsing behavior of account holders across hundreds of websites commonly used in the Netherlands. These cookies are often placed even when the user explicitly rejects them. This happens for example on popular websites such as [beleggen.nl](https://www.beleggen.nl), [beaumonde.nl](https://www.beaumonde.nl), [geenstijl.nl](https://www.geenstijl.nl), [voetbal.nl](https://www.voetbal.nl) and all of Amazon's own websites. In other cases, Amazon cookies are placed without adequately informing users what the collected data will be used for. As is for instance the case for websites such as Tripadvisor, Autotrack and Funda.

Finally, Amazon collects data through thousands of third-party mobile apps such as fitness trackers and health apps, apps targeting children and mobile games.

In this way, the corporation gobbles up an unprecedented amount of personal data, enabling it to construct highly comprehensive profiles on its account holders. Amazon utilizes these profiles to facilitate the sale of online advertisements to advertisers.

Amazon has become the third most important player in the global online ad market, after Google and Meta. While Google and Meta primarily offer free services, where users are somewhat more aware of paying with their data, Amazon operates as a regular online store where purchases require monetary payment. Yet, it's evident that alongside financial transactions, users unknowingly pay with their data as well. With Amazon, you pay twice: with your money *and* with your data.

What's the problem with Amazon?

Amazon blatantly disregards the principles and objectives of European Privacy Law, which also apply in the Netherlands. It indiscriminately gathers vast amounts of personal data from its account holders without proper justification or informed consent. When requested to provide access through Subject Access Requests, Amazon conveniently hides a significant portion of the collected data. Moreover, it carelessly and unlawfully ships the collected personal data to the U.S. without implementing necessary safeguards. To make matters worse, Amazon fails to securely store personal data, allowing its staff easy access. This lax approach has already resulted in numerous major hacks and data breaches. Consequently, personal information of account holders is now widely circulating on the Darkweb.

Ruhaak emphasizes, *"Amazon's practices trample upon the fundamental rights of at least five million Dutch individuals who have created an Amazon account in recent years. They are unwittingly influenced, exploited, and exposed to a plethora of risks. Amazon prioritizes profits over its customers' interests, amassing billions of euros worldwide each year."*

Millions in fines: Amazon's Ongoing Privacy Offenses

Amazon has faced multiple fines for its numerous privacy breaches, amounting to significant penalties. In one instance, Luxembourg's privacy watchdog, Commission Nationale de la Protection des Données (CNPD), imposed a record-breaking fine of €746 million in the summer of 2021 due to Amazon's non-compliance with data protection laws. Additionally, the French CNIL fined Amazon €35 million in 2020.

Despite these substantial fines, Amazon continues its unlawful practices without deterrence. Consequently, it is crucial for account holders themselves to take action. SDBN, representing Dutch victims, is actively pursuing legal action. A collective claim benefits society as a whole, as SDBN will force Amazon to comply with the law - benefitting everyone.

Cease and Compensate: Seeking Justice

SDBN has invited Amazon to engage in negotiations aimed at reaching a fair resolution. This entails Amazon committing to lawful practices moving forward and providing compensation to affected Dutch account holders. Should Amazon refuse to cooperate, SDBN will pursue a class-action lawsuit on behalf of its supporters to ensure justice is served. In previous individual cases involving privacy infringements, judges have awarded damages ranging from €250 to €2000 per person.

Join and support the case against Amazon

SDBN stands up for all individuals in the Netherlands, who have (had) an account on an Amazon service (such as the online store, Prime video or Twitch) in the period starting May 25, 2018 (the day the AVG came into force). Amazon users can register for free with Stichting Data Bescherming Nederland at www.stichtingdatabescherming.nl/ or jestaattekoop.nl/.

About SDBN

Stichting Data Bescherming Nederland was founded in December 2021. SDBN is a Dutch non-profit foundation fostering a world where companies honour individuals' rights to privacy and data protection. In addition to this case against Amazon, SDBN is currently working on a lawsuit against Twitter / Mopub and has other cases in the pipeline.

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Not for publication

For more information or to make an appointment for an interview with Anouk Ruhaak, chair of SDBN, or ambassador Julia Jansen, contact Michel Langendijk, SDBN press officer at +31 (0)6 - 4096 3010 and pers@stichtingdatabescherming.nl.

Anouk Ruhaak is the chair of Stichting Data Bescherming Nederland and is a privacy specialist and activist. She previously worked at the Mozilla Foundation. She lives in Canada and will be in the Netherlands from June 21 to July 1, 2023.

Julia Jansen is an artist and researcher and has been committed to privacy and data protection for years. Julia is an ambassador for SDBN. In addition to Anouk, Julia is available as a spokesperson.