

## ECJ ruling on Facebook fan pages

Operators of Facebook fan pages are also responsible for data protection

The State Commissioner for Data Protection in Lower Saxony, Barbara Thiel, welcomes today's ruling by the Court of Justice of the European Union (ECJ) on data protection responsibility for Facebook fan pages. The ECJ ruled today that not only Facebook itself, but also the respective operator of a fan page is responsible under data protection law for the network collecting data from fan page users to create visitor statistics.

Barbara Thiel on the verdict: "This shows that the operators of fan pages cannot simply evade responsibility here. We will evaluate the verdict carefully and draw the appropriate conclusions for our supervisory activities. Public authorities in Lower Saxony in particular must now critically question whether Facebook is really the right tool for their public relations work."

The ECJ also clarified that joint responsibility between Facebook and the respective fan page operator does not necessarily mean equivalent responsibility. This is due to the fact that the various actors can be involved in the processing of personal data in different phases and to different extents. How high the degree of responsibility of Facebook and fan page operators actually is must be assessed on a case-by-case basis.

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