An Allensbach study commissioned by the German news magazine *Focus* suggests that Whatsapp, Google and others may have unlawfully collected data from millions of users.

The representative survey found that the harvesting occurred without the voluntary and informed consent to the terms and conditions of the major web platforms, as required under the EU's General Data Protection Regulation (GDPR). Indeed, in its legal application, this consent was largely fictional according to Allensbach.

**Indispensable services**

Similarly, 67 percent of users in the 14-29 age bracket consider Whatsapp to be "indispensable" and 61 percent share the same view on Google. Seventy-seven percent of Internet services' users believe it is "a waste of time to read the terms and conditions because you have no alternative but to agree to them if you want to use the service."

**Imbalance of power**
"Where there is such a gross imbalance of power, we must doubt whether such statements of consent are voluntary. If the General Data Protection Regulation were interpreted more strictly and enforced more rigorously, all forms of data processing would be unlawful – retrospectively as well."

**Boris Paal**, Dean and Professor of Jurisprudence at the University of Freiburg

"I doubt whether the consent given by users for the use of their data is legally valid. In Europe we need to work together to ensure that the existing regulations on data privacy are applied in full."

**Georg Eisenreich**, Bavaria’s Minister of Justice

**Adequately informed users?**

The survey also found that users of Internet services do not feel they are being adequately informed as required under the GDPR. Seventy-three percent reported that they could not be bothered to actually read the conditions of use. More than half of those surveyed (57 percent) also said that they only agree to the terms and conditions of an Internet service so that they can continue using it.

**Young and old sceptics**

Young people are just as concerned about the dissemination of their data as older people are. For example, 62 percent of users in the 14-29 age bracket say they are not in favor of their friends’ telephone numbers being made available through the address book function. Furthermore, 67 percent do not want their data to be stored and processed in the U.S. or other countries.

Those in the 14-15 age bracket are also three times as likely (33 percent) as adults to believe that the laws are protecting them.

The Allensbach study surveyed 2,542 people in Germany aged 14 and older. You can download an excerpt of the study here.

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