[ES] The Spanish Data Protection Agency suspends the launch of Meta's Election Day Information and Voter Information Unit functionalities in Spain for three months

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On 31 May, the Spanish Data Protection Agency (AEPD) issued a precautionary measure preventing Meta from implementing two electoral features it had planned to launch in the context of the European Parliament elections: Election Day Information (EDI) and Voter Information Unit (VIU). These functionalities would consist of providing information to Facebook and Instagram users about the European Union elections, based on the processing of their personal data (username, IP address, age, gender, and other information). The precautionary suspension is valid for a maximum period of three months.

The suspension of the EDI and VIU services that Meta had intended to enable for all eligible Facebook and Instagram users in the European Parliament elections (except for residents in Italy, where a similar suspension is in effect), is motivated by the consideration that the planned data processing is contrary to the General Data Protection Regulation (GDPR). According to the AEPD, these two services violate the data protection principles of lawfulness, data minimisation, and storage limitation. Additionally, the provision of personal data to third parties constitutes, according to the AEPD, a disproportionate interference and loss of control over the data.

The decision of the AEPD is based not only on the GDPR but also on the AEPD's Circular 1/2019 regarding the processing of personal data related to political opinions. Article 5.3 of the circular states that “under no circumstances may other types of personal data be processed from which, by applying technologies such as big data processing or artificial intelligence, a person's political ideology can be inferred".

La Agencia ordena una medida cautelar que impide a Meta implementar las funcionalidades electorales que tiene previsto lanzar en España

https://www.aepd.es/prensa-y-comunicacion/notas-de-prensa/aepd-ordena-medida-cautelar-que-impide-a-meta-implementar-funcionalidades-electorales

The Agency orders a precautionary measure that prevents Meta from implementing the electoral functionalities that it plans to launch in Spain

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Circular 1/2019, de 7 de marzo, de la Agencia Española de Protección de Datos, sobre el tratamiento de datos personales relativos a opiniones políticas y envío de propaganda electoral por medios electrónicos o sistemas de mensajería por parte de partidos políticos, federaciones, coaliciones y agrupaciones de electores al amparo del artículo 58 bis de la Ley Orgánica 5/1985, de 19 de junio, del Régimen Electoral General

https://www.boe.es/boe/dias/2019/03/11/pdfs/BOE-A-2019-3423.pdf

Circular 1/2019, dated 7 March, from the Spanish Data Protection Agency, concerning the processing of personal data related to political opinions and the sending of electoral propaganda by electronic means or messaging systems by political parties, federations, coalitions, and groups of voters under the provisions of Article 58 bis of Organic Law 5/1985, dated 19 June, on the General Electoral Regime

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