Question for written answer P-006708/2016
to the Commission
Rule 130
Marc Tarabella (S&D)

Subject: Pokemon, Niantic and the European response

In its Pokemon Go app, Niantic Labs is violating European data protection laws. The conditions of use are packed with apparently unfair clauses which create a significant unbalance between the rights and obligations of the operator and those of the user – to the detriment of the user.

Does the Commission not believe it has an important role to play in the investigation of the fraud committed by these companies – the role of coordinator, whistle-blower or expert, for example? A Member State will always be taken more seriously when taking action against a multinational if the EU is by its side.

Given the number of smartphone applications and internet sites that violate users' privacy and infringe EU law, it would be useful to set up a European alert system following the model of Rapex. A system of that kind could make it possible for national authorities to warn their counterparts in other Member States and combine their efforts to pursue companies that do not take citizens' rights seriously, and could also inform citizens which of their rights they are jeopardising by installing a certain application.

Is the Commission in favour of this proposal, and could it assess its feasibility?