



**European Center
for Digital Rights**

Annual Report

2018-2019

TABLE OF CONTENTS

1. PREFACE	3
2. ABOUT NOYB	4
3. OUR PROJECTS	8
4. FINANCES 2018	17
5. FINANCES 2019	19
6. NOYB IN NUMBERS	21



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Preface

For a long time, I was thinking about setting up an organization to deal with the enforcement of data protection on a European level. Since data protection problems have an inconceivable technical and legal complexity, it is almost impossible for individuals to tackle them. In May 2018, the GDPR became applicable. Article 80 GDPR foresees that private individuals can be represented by not-for-profit organizations. This makes the need for an NGO that can represent the data protection concerns of individuals even bigger. Therefore, I am all the more pleased that in early 2018 we were able to secure funding for **noyb** through a successful Kickstarter campaign, during which more than 2,500 individuals supported our cause. In 2019, we were able to increase the number of supporting members to 3,280 who donated € 257 788 (see chapter 4).

2018 was a very busy year for **noyb**: After the end of the Kickstarter campaign on January 31st, we started to deal with all administrative and organizational issues that new NGOs face: looking for an office, managing our member database, responding to hundreds of emails and inquiries and looking for qualified staff. All of this was necessary preparation in order to focus on the legal work with the start of the GDPR on May 25th, 2018.

Prior to the GDPR coming into force, our first two lawyers had already started working on complaints. We submitted these complaints on “forced consent” against Google, WhatsApp, Instagram and Facebook to the responsible authorities on May 25th shortly after midnight. With the complaints, we wanted to send a strong signal that the time of a laissez-faire approach to privacy was over. This was partly successful: The French data protection authority (CNIL) imposed, on the basis of our complaint, a record fine of € 50 million on Google. We are looking forward to seeing our other complaints being successfully handled.

Since May 25th, 2018, we have filed and supported more than 30 cases in more than 10 countries. This involves national and cross-country complaints at Data Protection Authorities, civil and administrative litigation, and legal action against decisions of authorities. Our first experience also revealed that many promises of the GDPR are not (yet) being fulfilled in practice. Even simple cases like getting access to a data subject’s data

**My privacy is
None of Your Business**

#Invest in Privacy

PHOTO BY CHRISTIAN PERNER / UNSPLASH

can take years. Many basic procedural issues are still not clear and need to be clarified by the courts. We are actively working on clarifying these issues with the relevant authorities. By now, we call clearing these important - but hardly exciting - procedural paths “snow plowing”. We hope this work will eventually pay off both for us and everyone else that wants to enforce their rights.

After spending our first months at a shared office with other NGOs, we were more than happy to move to our permanent office in the 14th district of Vienna in Summer 2018. This move was urgently needed, as **noyb** grew from one employee in February 2018 to twelve by the end of 2019 (see Chapter 2.2). While our new office felt empty when we first moved in, we now have 15 team members and are happy about every square meter we can squeeze out of the floor plan.

All of this would not have been possible without the incredible contributions of our supporting and institutional members and all other supporters. We are fully aware that this also included placing a lot of faith in **noyb**, which, in early 2018, was merely an idea. Without this faith by our supporters, our honorary board, external helpers, and our team members, we would have been unable to build this first small privacy enforcement nucleus that I am already very proud of and that will surely grow further and further over the next years.

Max Schrems, Chairman and Managing Director

About noyb

Our Mission

noyb uses best practices from consumer rights groups, privacy activists, hackers, and legal tech initiatives and merges them into a stable European enforcement platform. Together with the many new enforcement possibilities under the new EU data protection regulation (GDPR), **noyb** is able to submit privacy cases in a much more effective way than before.

Additionally, **noyb** follows the idea of targeted and strategic litigation in order to strengthen the right to privacy.

We also make use of PR and media initiatives to support the right to privacy without having to go to court. Ultimately, **noyb** is designed to join forces with other organizations, resources and structures to maximize the impact of GDPR, while avoiding parallel structures.

More information can be found in our [concept](#).

Who we are

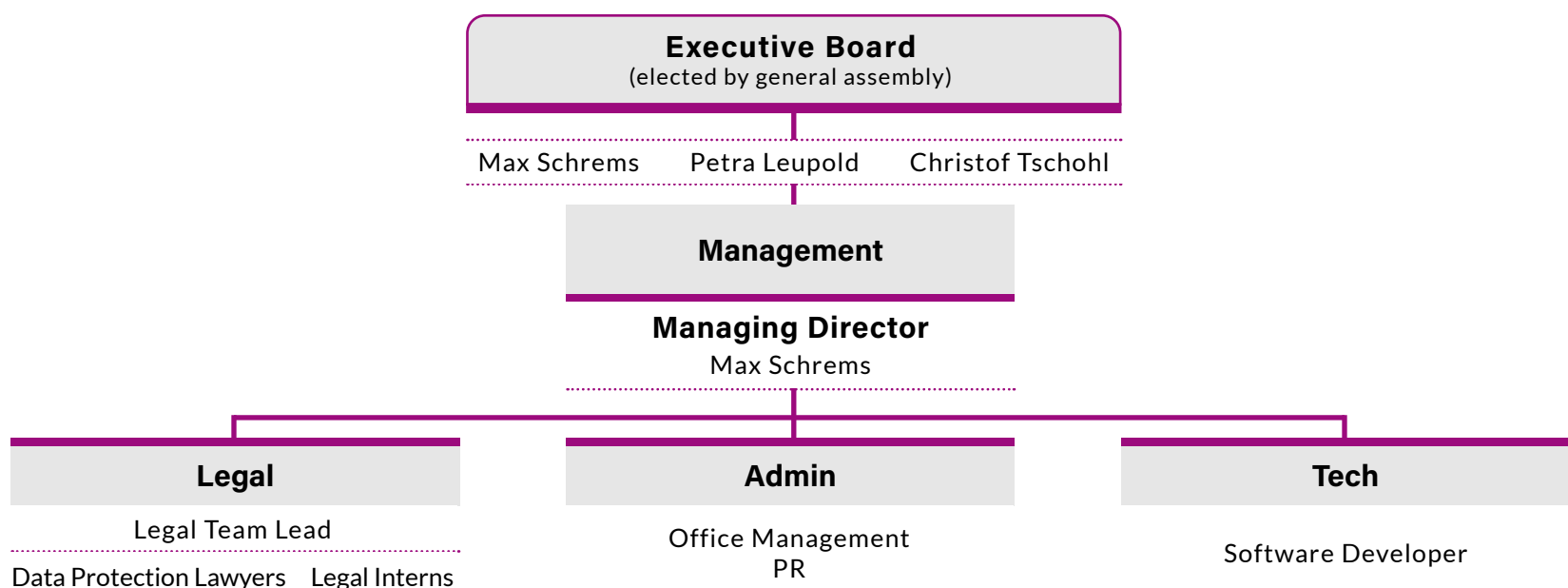
The success of any project depends on a strong, experienced team and a network of partners. We are proud to have assembled a truly pan-European team with experience in the areas of privacy, data protection, consumer rights and tech.

The General Assembly meets once a year and appoints the executive board. It consists of distinguished individual members that are deeply committed to privacy, the GDPR, and the enforcement of fundamental rights and also representatives of our institutional members. Our institutional members (e.g. the City of Vienna, AK Vienna and others) played a significant role in our founding process and support us since then.

Organigram & Governance

The Executive Board ("Vorstand") sets the long term goals, reviews the operations of the organization and meets on a regular basis. According to the [Articles of Incorporation of noyb](#), all Board Members strictly act on a *pro bono* (volunteer) basis.

The Executive Board appoints one or more Directors that manage the daily business within the office and who may represent **noyb** for any matter.



EXECUTIVE BOARD

MAG. MAX SCHREMS

HONORARY CHAIRMAN AND MANAGING DIRECTOR



Max is an Austrian lawyer, activist and author and has led a number of successful data protection and privacy practices since 2011. His cases (e.g. on the EU-US SafeHarbor Agreement) were widely reported, as enforcement of EU privacy laws was rare and exceptional. He holds a law degree from University of Vienna.

"We have solid privacy laws in Europe, but we need to collectively enforce them to bring privacy to the living room of users. noyb will work on making privacy a reality for everyone. I am happy to provide my personal experience and network to noyb."

DR. PETRA LEUPOLD, LL.M.

HONORARY BOARD MEMBER



Petra Leupold is the Managing Director of the VKI-Academy, the research academy of the Austrian Consumer Protection Association. She brings invaluable general consumer protection experience to the table and helps to bridge the gap between the tech and the consumer worlds.

"Data protection and the right to privacy are core consumer rights. I want to help guide this organization to be a robust advocate for consumer privacy and—as a representative of the Austrian consumer protection agency (VKI) - support it with our longstanding expertise in consumer law enforcement."

DR. CHRISTOF TSCHOHL

HONORARY BOARD MEMBER



Christof Tschohl successfully brought down the Austrian data retention legislation and is the chairman of epicenter.works, which is dedicated to defending our rights and freedom on the Internet. Furthermore, he is the scientific director of Research Institute – Digital Human Rights Center. He holds a Doctorate of Law from the University of Vienna.

"As chairman of 'epicenter.works' I have been working on government surveillance for years. We successfully challenged the EU data retention directive. As a board member of noyb, I am looking forward to closing the enforcement gap in the private sector."

STAFF

For our office we want to build a pan-European team of lawyers and experts. Besides answering initial inquiries and helping our members, the core task of the office is to work on our enforcement projects and to engage in the necessary research for strategic litigation. Our team is the key factor to make sure that privacy becomes a reality for everyone.

Legal Team

**ALAN DAHI**

LEGAL TEAM LEADER

"A resilient society needs strong digital rights. We help ensure these."

**ALA KRINICKYTE**

"Data subjects have to acknowledge their rights and be able to successfully enforce them. I want to help noyb embed a new privacy and data protection culture in the digital world."

**STEFANO ROSETTI**

"My main interests are digital rights and litigation. noyb gives me a fantastic opportunity to practice both from a unique point of view"

**GAËTAN GOLDBERG**

"One thing is to have rights, another thing is to enforce them. I joined noyb in the hope to bring the rights to privacy and data protection into action."

Former data protection lawyers at noyb in 2018/2019:

Ioannis Kouvakas (05/2018 -05/2019)

Traineeships

Since October 2018, **noyb** has been offering **legal traineeships** for university graduates with a strong interest in privacy law. Our trainees obtain experience in legal research, factual investigations, and drafting complaints. So far, eight trainees from six different European countries have joined **noyb** for a duration of three to nine months.

STAFF

Office & Tech Team



MONIKA RIEGLER

OFFICE MANAGER

"I am more than happy to be part of noyb from the very beginning and to help building a strong organization to enforce our right to privacy."



PHOEBE BAUMANN

PR MANAGER

"Digital rights and data protection means fighting for the people rather than for the corporations illegitimately profiting through our data. noyb puts the control over our own identity back into our hands. And that is why I truly enjoy working here."



ANAS ZAHED

OFFICE AID

"Especially after the data scandal at Cambridge Analytica, I think there is a need to campaign for data protection. noyb is just the beginning and I'm happy to be part of it."



HORST KAPFENBERGER

SOFTWARE DEVELOPER

„Good karma to the ones reading that far"

Former noyb employees in 2018/2019

- Caroline Weingrill** – Office Manager (10/2018 - 07/2019)
- Kludia Zotzmann-Koch** – IT Support (07/2018 - 10/2019)

Our projects

We started our legal work in May 2018 with our first data protection lawyer joining noyb's team. The focus for our first year in business was to send a strong signal on May 25th, 2018, the day GDPR became applicable, and to achieve a solid legal background for future actions by researching procedural law and enforcement initiatives in the EU.

3.1 COMPLAINTS

- [3.1.1 Complaints against social media apps on Forced Consent](#)
- [3.1.2 Complaints against streaming services on the Right to Access](#)
- [3.1.3 Complaints against French websites on Cookies](#)
- [3.1.4 Complaints against Grindr and ad-tech companies regarding profiling and targeted advertising](#)

3.2 LAWSUITS

- [3.2.1 Facebook Model Case \(Austrian Supreme Court\), *previously existing*](#)
- [3.2.2 Facebook EU-US Data Transfers \(CJEU\), *previously existing*](#)
- [3.2.3 Access to Banking Data at the Austrian Administrative Court](#)

3.3 RESEARCH AND STRATEGIC PLANNING

- [3.3.1.1 EU Regulatory and enforcement overview](#)
- [3.3.1.2 Procedural Law review](#)
- [3.3.2 RESPECTeD project](#)

3.4 OTHER ACTIVITIES AND COOPERATION

- [3.4.1 Event organized by noyb and Access Now](#)
- [3.4.2 My Data Done Right](#)
- [3.4.3 GDPRhub and GDPRtoday newsletter](#)
- [3.4.4 Joint collaboration on the ad-tech with Panoptikon, EFF, OpenRights, Liberties.EU](#)

CHAPTER 3

3.1 COMPLAINTS

3.2 LAWSUITS

3.3 RESEARCH
AND STRATEGIC
PLANNING3.4 OTHER
ACTIVITIES AND
COOPERATION

3.1 Complaints

Complaints are a cost-effective way to enforce the GDPR. Complaints are filed with a national data protection authority. Each Member State has at least one such authority. An unsuccessful complaint can be appealed with the courts. We decide whether to lodge a complaint based on the following factors:

- **High and direct impact:** A case or project should directly impact many people (a whole industry or a common practice across different sectors and across Europe).
- **High Chances of Success:** Lost cases backfire on our overall aim of promoting privacy. There may be “edgy” cases or cases that just need clarification that are worth the risk.
- **High Input/Output Ratio:** We only engage in cases or projects that have a good input/output ratio in order to maximize the use of our funds.
- **Strategic:** Strategic litigation is based on considering all elements that may affect the case or project and making informed decisions on these elements. For example, if a Data Protection Authority states that they will be focusing on a certain subject matter, it may make sense to file a complaint with that authority. Each case should have ideal timing, jurisdiction, costs, fact patterns, complainants, and controllers.
- **Narrow and Well-Defined:** Many controllers violate just about every Article of the GDPR. We pick the relevant part only.



PHOTO BY MATTHEW HENRY / UNSPLASH



MAJOR DEVELOPMENTS ARE PUBLISHED ON OUR [WEBSITE'S HOMEPAGE](#). AN OVERVIEW OF ONGOING PROJECTS CAN BE FOUND ON OUR DEDICATED [PROJECT PAGE](#).

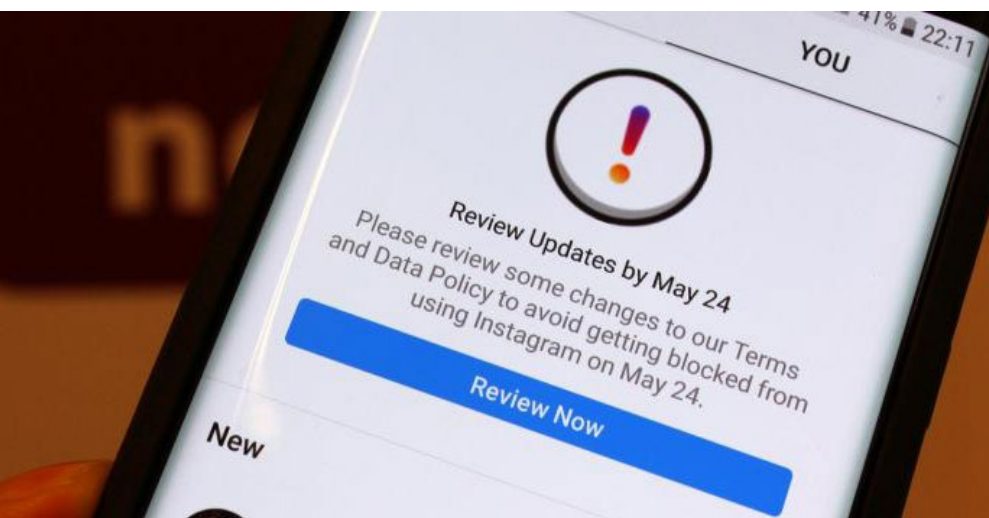
CHAPTER 3

- 3.1 COMPLAINTS
- 3.2 LAWSUITS
- 3.3 RESEARCH AND STRATEGIC PLANNING
- 3.4 OTHER ACTIVITIES AND COOPERATION

3.1.1. COMPLAINTS AGAINST SOCIAL MEDIA APPS ON FORCED CONSENT

Shortly before the new EU data protection rules came into force, users were confronted with several “consent boxes” or pop-up notifications, somehow “threatening” them to accept services’ update terms and privacy policies. They would otherwise be blocked from their account or no longer able to access them. On 25 May 2018, the first day of the GDPR, **noyb** filed four complaints on the issue of “forced consent”.

These complaints were filed on behalf of four users located across the EU. Specifically, one complaint was filed against [Google \(Android\)](#) before the French Data Protection Authority (CNIL), one against [Facebook](#) before the Austrian Data Protection Authority (DSB), one against [WhatsApp](#) before the Data Protection Authority of Hamburg (HmbBfDI) and one against [Instagram](#) before the Belgian Data Protection Authority (ADP). The main aim of the complaints was to trigger the EU cooperation mechanism and to influence the cooperation systems between the DPAs. We have already gained very valuable experience from the (non)functioning of this system and expect to trigger important clarifications.



Results

The [first decision](#) on **noyb**’s complaints came out on the January 21st, 2019 by the CNIL, which issued a record-fine of € 50.000.000 against Google, the highest sanction ever imposed under the GDPR so far, for lack of information provided to the data subjects and lack of valid legal grounds for the processing operations relating to targeted advertising.

The other three complaints on forced consent against Instagram, WhatsApp and Facebook have all been forwarded to the Irish Data Protection Commission (DPC) and we are waiting for first results.

3.1.2 COMPLAINTS AGAINST STREAMING SERVICES ON THE RIGHT TO ACCESS

The GDPR establishes a “right to access” for users. The users are entitled to receive a copy of all personal data that a company holds on them, as well as additional information about the purposes of the processing, the categories of data concerned, the recipients of the personal data, the retention period, the existence of rights of the data subjects



PHOTO BY ALEX SUPRUN / UNSPLASH

(including the right to lodge a complaint), the sources and the existence of automated decision-making -including profiling-, with the logic behind it and the envisaged significance and consequences for this processing.

In September 2018, **noyb** embarked on a test-project to investigate the compliance of some of the major players in the streaming industry with certain principles of the GDPR. The companies investigated are: [Amazon Prime](#) (Music and Video), [Apple Music](#) (music), [DAZN](#) (video), [Flimmit](#) (video), [Netflix](#) (video), [SoundCloud](#) (music), [Spotify](#) (Music), [YouTube](#) (Music).

A series of users submitted access requests to these services, requesting a copy of their data, together with the relevant information that should accompany it under the GDPR. The responses provided by some of the investigated services failed to address, partially or fully, all the elements of the requests, some simply directed to an online tool that provided a mere copy of the data in a machine readable or non-intelligible language. Two companies did not provide any response at all. As a result, **noyb** lodged ten independent complaints on behalf of these users against all streaming service providers with the Austrian Data Protection Authority (DSB).

Report. The “right to access” project is being followed up by a [report](#) in cooperation with the Viennese Chamber of Labor (AK Wien). Its aim is twofold: first, it seeks to assess the

CHAPTER 3

- 3.1 COMPLAINTS
- 3.2 LAWSUITS
- 3.3 RESEARCH AND STRATEGIC PLANNING
- 3.4 OTHER ACTIVITIES AND COOPERATION

compliance of these 8 providers with the obligations imposed by Articles 13 and 14 GDPR. Second, it informs consumers in a plain language about the information that they should expect to be provided by controllers of those data, such as the online streaming platforms, contributing to the better understanding and realization of their rights under the European data protection acquis.

The drafting of this report commenced in parallel with the drafting of the complaints in 2018, after the investigation of the streaming companies was concluded. It is important to highlight that after the filing of the complaints, the two companies that ignored users' access requests replied and the information they provided was incorporated into this report.

Results

There has been no meaningful progress with the complaints, as they are still stuck in the cross-border procedure process. The exception is Flimmit, which is based in Austria, and therefore not subject to a cross-border procedure. Flimmit and the DSB believe that the infringement of a deficient reply to the subject's access request was subsequently resolved by an update from Flimmit. However, we do not agree and asked for a resolution by the DSB. The DSB has not yet replied. The aforementioned report is expected to be published by AK Wien in 2020.

3.1.3 COMPLAINTS AGAINST FRENCH WEBSITES ON COOKIES



Following the [Planet49](#) CJEU judgment, the private sector received detailed guidelines on how to set cookies on users' terminal equipment lawfully: rely on a freely given, specific, informed and unambiguous consent. However, users were and still are confronted with blatant violations of their right to accept or refuse targeted advertising cookies, under both the ePrivacy Directive and the GDPR. Moreover, despite the users' refusal for the placement of cookies, the open

extension "[Cookies Glasses](#)" developed by the French public research institute [INRIA](#) identified that many websites let advertising companies drop unauthorized cookies. To fight against these non-compliant business practices, **noyb** filed three complaints with the French data authority (the CNIL) against six undertakings that run such websites. [CDiscount](#), [Wébédia](#) and [Condénast](#) were targeted because they ignored the users' choice to not being tracked online. Facebook, [AppNexus](#) and [PubMatic](#) were targeted because they unlawfully collect users' data by dropping cookies on



PHOTO BY GLENN CARSTENS-PETERS / UNSPLASH

users' terminal equipment. The main aims of the complaints were to flag the fraudulent collection of data through users' fake consent, to clarify the chain of liability and to influence the current business model by targeting wealthy and well-known undertakings.

Results

We are waiting for the CNIL to investigate and decide, but there have already been some relevant consequences. First, the CNIL issued simultaneously a new [draft recommendation](#) on cookies and other trackers, and launched a [public consultation](#) regarding the use of cookies and the proper procedures for collecting consent. In presenting its consultation, the CNIL focused on the need to consult the civil society after having received several complaints, including **noyb**'s complaints. Also, shortly after the complaint, direct reactions from the targeted alleged data controllers have been obtained. For example, [CDiscount](#) apologized in the newspaper [Le Monde](#) to its consumers and stated that it will investigate further to have a compliant "consent tool". Lastly, following these complaints, **noyb** was invited by the French National Parliament to give its opinion on the cooperation between public and private entities regarding the use of facial recognition in France. The fact that **noyb** was consulted on a different legal issue concerning France and the compliance with the GDPR shows an important acknowledgement of **noyb** as a strong actor in the French civil society.

CHAPTER 3

3.1 COMPLAINTS

3.2 LAWSUITS

3.3 RESEARCH
AND STRATEGIC
PLANNING3.4 OTHER
ACTIVITIES AND
COOPERATION

3.1.4 COMPLAINTS AGAINST GRINDR AND AD-TECH COMPANIES REGARDING PROFILING AND TARGETED ADVERTISING

The Norwegian Consumer Council revealed in their report [Out of Control](#) how private data of mobile app users are sent to a large number of virtually unknown entities. These entities receive personal data concerning the interests, behavior and habits of its users. This data is then used to build profiles and track the user to target the user with targeted advertising.

noyb worked together with the Norwegian Consumer Council during the drafting of the report and used the findings of the report to write complaints, which will be filed with the Norwegian supervisory authority in January 2020. Our complaints targeted the gay dating app Grindr and the ad-tech companies receiving sensitive information from the app. Our complaints focused on five companies that were receiving personal data through the app: [Twitter's MoPub](#), [AT&T's AppNexus](#), [OpenX](#), [AdColony](#) and [Smaato](#).

During this process, **noyb** worked closely with the Norwegian Consumer Council and the security company mnemonic to fully understand the transmissions of personal data and to have these findings inform our work of targeting the complaints. In addition, **noyb** contributed to the legal analysis of the report.

Results

The report and the accompanying complaints received media coverage in at least 68 countries, in papers such as [NY Times](#), [The Guardian](#), [Der Spiegel](#) and the [BBC](#). MoPub was quick to distance itself from Grindr and deactivate their use of MoPub as their platform for targeted advertising. However, the bigger point of the complaint regards the whole ecosystem of targeted advertising, and is not primarily about Grindr as such.



3.2 Lawsuits

There are two types of lawsuits. The first are lawsuits directly against a company. Such lawsuits typically cost more than complaints, but are an equally - if not more so - powerful tool than complaints. One advantage that lawsuits have over complaints is that they are not subject to a cross-border procedure, as would be the case with a complaint against a company located in a different Member State than where the data protection authority the complaint is lodged against, is. For example, cross-border procedures will apply when a user lives in Austria but the company they are filing against is based in Ireland.

Another type of lawsuit is in the appeal process of a complaint. Such a lawsuit is against the decision of the authority. It is a parallel to how one may appeal the decision of a lower court to a higher court.

noyb is now supporting some lawsuits that Max Schrems, our Honorary Chairperson and founder, initiated prior to noyb.

3.2.1 FACEBOOK MODEL CASE (AUSTRIAN SUPREME COURT), PREVIOUSLY EXISTING

noyb supported the “model case” by Max Schrems on Facebook’s violations of GDPR. The main aim of the procedure was to establish the right to bring a civil lawsuit against a controller under the GDPR. The Austrian courts so far partly took the view that the DPA has exclusive jurisdiction in GDPR cases. For example, in this case, the Regional Court for Vienna (Landesgericht Wien) declared it did not have jurisdiction. This was appealed to the Austrian Supreme Court.

Results

The Austrian Supreme Court decided that the DPA did not have exclusive jurisdiction in GDPR cases and that there is a right to bring a civil lawsuit for GDPR violations. Now that this procedural question has been settled, the case is back at the Regional Court for Vienna, which will decide on the large number of the core issues surrounding Facebook’s GDPR compliance. An initial evidence gathering hearing took place November 11, 2019. Facebook’s EMEA Privacy Policy Director was on the witness stand.

3.2.2 FACEBOOK EU-US DATA TRANSFERS (CJEU), PREVIOUSLY EXISTING

noyb is supporting the case by Max Schrems on EU-US data transfers. This second case was triggered after the “Safe Harbor” judgment and is basically a second reference on the same case. Currently EU law (“Standard Contractual Clauses”) are used by Facebook Ireland to transfer data to US

servers. Under US law the NSA has access to these servers without any individualized judicial approval. All non-US data that is stored in US “cloud” services is therefore not properly protected, as it would be foreseen under EU law.

Results

On December 19th, 2019 the Advocate General of the EU Court of Justice released his opinion, a very detailed analysis of the issues at stake. The AG’s position is in line with noyb legal arguments. For example, it does not consider standard contractual clauses framework invalid. Rather, it is upon the national authorities (in this case the DPC) to assess the risk of the transfer and possibly interrupt it. Other important concerns were raised on the Privacy Shield. In fact, certain aspects of its functioning, such as the Privacy Shield



Ombudsperson inefficacy, would not ensure an appreciable level of protection for European citizens. The Court of Justice will provide the Irish Courts with guidance to resolve the case. The decision is expected within the next months.

CHAPTER 3

3.1 COMPLAINTS

3.2 LAWSUITS

3.3 RESEARCH
AND STRATEGIC
PLANNING3.4 OTHER
ACTIVITIES AND
COOPERATION

3.2.3 ACCESS TO BANKING DATA AT THE AUSTRIAN ADMINISTRATIVE COURT

noyb represents a customer of an Austrian bank, who wanted access to his bank account details – but was denied. The Austrian DPA decided in favor of the customer, but the bank appealed to the Federal Administrative Court (BVwG). In essence, the bank argued that the (free) right to

access under GDPR is overridden by banking regulations that allow banks to charge extra fees for any additional information. **noyb** made submissions on behalf of the customer under Art 80 GDPR to protect the right to access.

Results

The BVwG upheld the customer's right to access his personal data free of charge. The judgment is final.

3.3 Research and strategic planning

3.3.1.1 EU REGULATORY AND ENFORCEMENT OVERVIEW

A crucial element in shaping the implementation of the new regulatory framework on data protection is having an overview of the legislative acts and enforcement initiatives of all Member States.

To this end, with the valuable help of volunteering lawyers and practitioners in several EU Member States, the legal team of **noyb** drafted a strategic map, which is constantly being updated and which provides an essential overview of the progress of national implementation laws across the EU. It consists of national implementation laws and relevant jurisprudence by courts and data protection authorities. This “compass” allows us to estimate the progression of cases, taking into account national differences (exemptions, data protection authorities' priorities, existing or pending case-law etc.).

3.3.1.2 PROCEDURAL LAW REVIEW

The vast majority of our cases do not stay with the data protection authorities where we lodged them. Some cases will likely be appealed by the targeted companies before national courts. Others trigger the involvement of more than one relevant authority in a cross-border procedure. To deal with this, we are drafting a map of the administrative procedures of all Member States that we have so far engaged. We monitor and research national procedural/administrative laws and past decisions by supervisory authorities. These

internal documents consist of various elements, such as competent courts of appeal, legal fee estimates, deadlines, administrative procedure steps, certain rights (right to be heard, right to demand investigations, right to intervene before the DPA, the duration of the investigation the competent court for an appeal and a general time frame that can be expected to reach a decision). All this constitutes important information that helps us minimize unnecessary costs and make an effective intervention in administrative and judicial proceedings to ensure a consistent interpretation of the GDPR.

3.3.2 RESPECTED PROJECT

Since November 2019, **noyb** is working together with three entities of the University of Economics and Business in Vienna on a joint interdisciplinary research project **RESPECTeD**. The full title of the project is “Really Enforceable Solution to Protect End-users Consent & Tracking Decisions”. RESPECTeD is funded by NetIdee program of Internet Privatstiftung Austria (IPA). Based on an extensive study of existing patterns of tracking, the project aims to develop a detailed standard mechanism for communicating users consent and tracking decisions via HTTP headers. Moreover, a set of client-side and server-side software (e.g. web-browser plugins) support the legal enforcement of the expressed consents, e.g. by sending the required identifiers or legally binding emails.

CHAPTER 3

3.1 COMPLAINTS

3.2 LAWSUITS

3.3 RESEARCH
AND STRATEGIC
PLANNING3.4 OTHER
ACTIVITIES AND
COOPERATION

3.4 Other activities and cooperation

noyb is not alone in the fight for data protection. We cooperate with a number of civil society actors throughout the EU, lawyers, and other dedicated volunteers who support our cause. Partner NGOs bring valuable national or domain expertise to the table, lawyers in Member States are crucial for their knowledge and litigation experience, and volunteers help with everything from researching cases, summarizing decisions and judgments, and translating from or into their languages. noyb would not be where it is without the strong cooperation network we are building. We are very thankful for this cooperation.

3.4.1 EVENT ORGANIZED BY NOYB AND ACCESS NOW

On 8-10 May 2019, **noyb** and [Access Now](#) organized a workshop focusing on advancing rights through effective enforcement actions. The event was supported by the Digital Freedom Fund (DFF) and took place in Vienna, Austria. The [workshop](#) marked the first year of the GDPR and was designed to promote best practices in strategic litigation through complaints filing with the supervisory authorities across the EU. The workshop was attended by representatives from the Austrian and Berlin supervisory authorities, the Austrian Federal Administrative Court, consumer rights organizations, researchers, and NGOs such as Privacy International, Bits of Freedom, Algorithmwatch, Data Rights, Open Rights Group, Digital Rights Ireland, D3 and Homo Digitalis.



3.4.2 MY DATA DONE RIGHT

Bits of Freedom, supported by **noyb**, organized a workshop in Vienna on the tool [My Data Done Right](#) on December 2 and 3, 2019. The workshop was attended by nine other digital rights organizations from across Europe. The tool permits people to easily submit subject access requests to

organizations across Europe. The goal of the workshop was to improve the tool and introduce it to other EU Member States in their respective languages. The localized versions are expected to launch in 2020. Users of the tool will have the opportunity to report violations in certain Member States to **noyb**.

3.4.3 GDPRHUB AND GDPR TODAY NEWSLETTER



In October 2019, **noyb** initiated a newsletter project with the aim to cover decisions issued by DPAs and national courts of all countries across Europe. For this purpose,

noyb created a database with all the national sources across Europe for DPA and court decisions and employed a tool for monitoring them and creating notifications about any updates. **noyb's** volunteers assist in the collection of these sources in jurisdictions which **noyb** could not cover in-house due to language barriers. The launch of this project has been scheduled for mid-February 2020.

From October 2019 on a daily newsletter has been shared internally with **noyb's** legal team in order to collect feedback and assess its added value compared to other, similar newsletters. **noyb's** volunteers play an important role in summarizing decisions in English. **noyb's** newsletter has already attracted many subscribers who will receive it for free starting February 2020.

CHAPTER 3

3.1 COMPLAINTS

3.2 LAWSUITS

3.3 RESEARCH
AND STRATEGIC
PLANNING3.4 OTHER
ACTIVITIES AND
COOPERATION

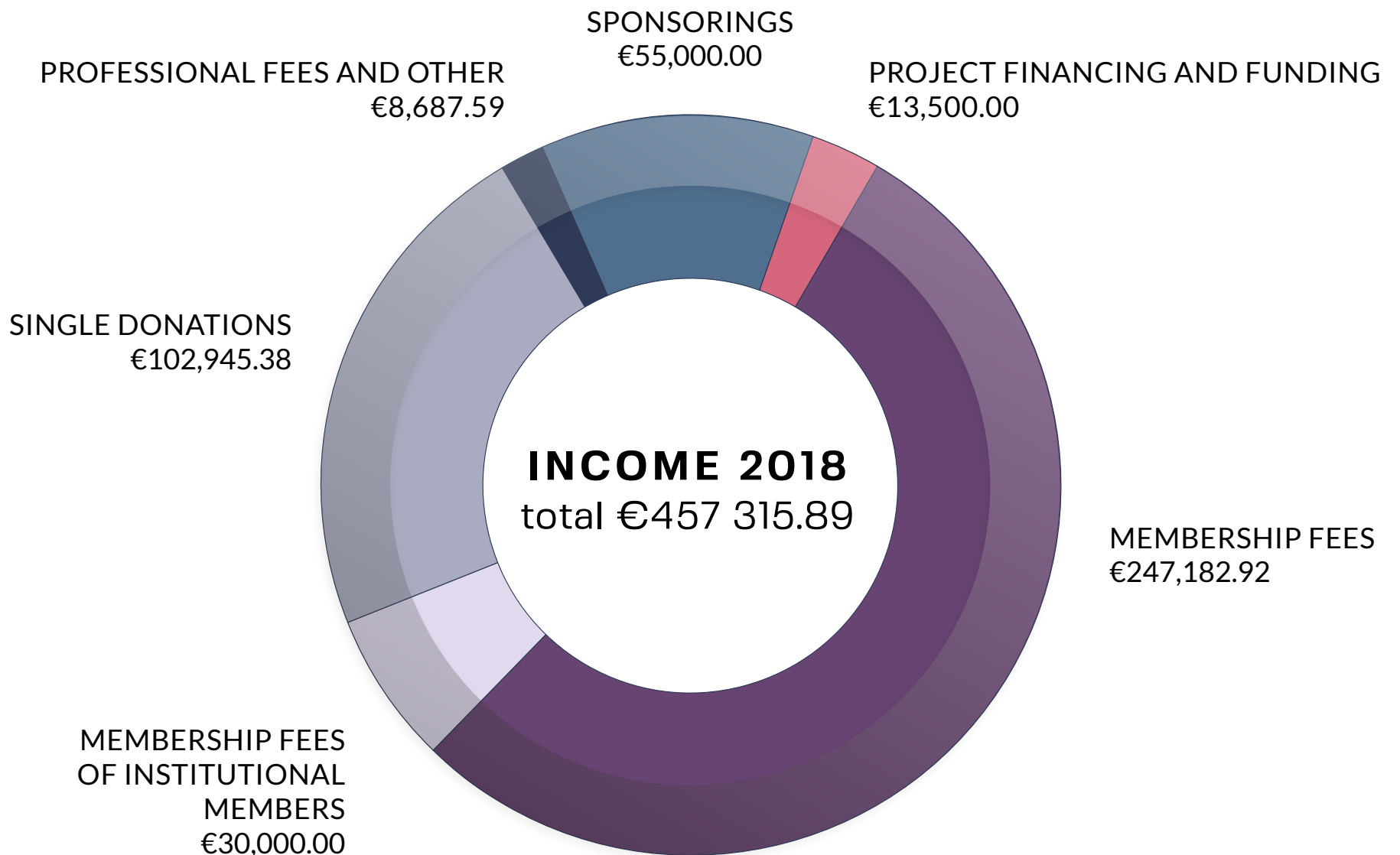
3.4.4 JOINT COLLABORATION ON THE AD-TECH WITH PANOPTYKON, EFF, OPENRIGHTS, LIBERTIES.EU



PHOTO BY ANTHONY TYRRELL / UNSPLASH

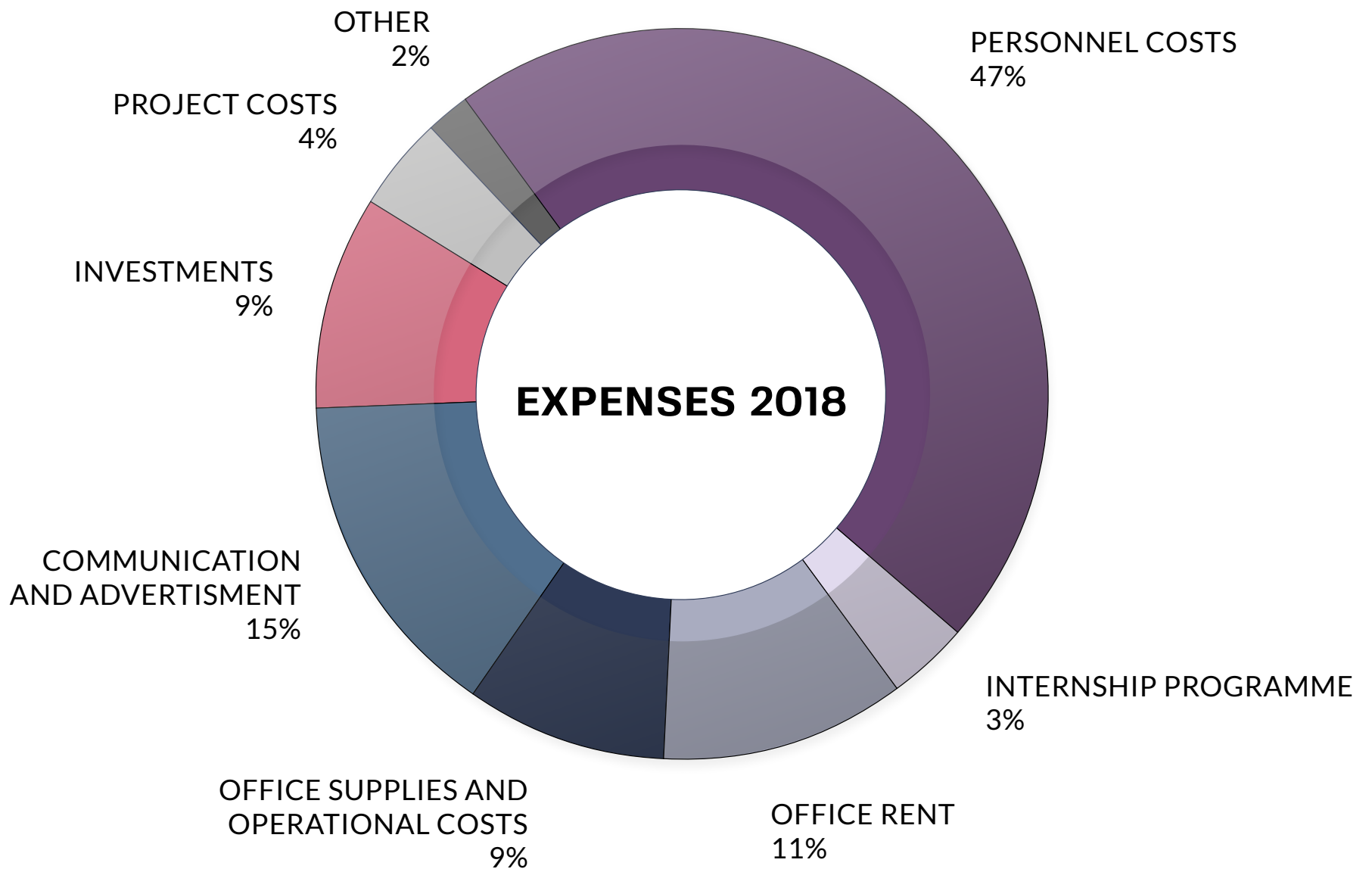
noyb collaborates with different non-governmental organizations within the broad topic of Online Advertising. Companies in the ad-tech industry have long been abusing the right to privacy and data protection of Internet users. Some services state that personalized advertisement allows users to browse the Internet and use some of their services for free. Oftentimes, the consent of the users, to be served such personalized advertising, does not fulfill the criteria of the GDPR for valid consent. This is just one of the issues surrounding the ad-tech business. Another major concern regards users' complete loss of control over the further use of their personal data by a potentially unlimited number of actors in the ad-tech business. Panoptikon filed complaints against Google and the Interactive Advertising Bureau (IAB) under the GDPR to the Polish Data Protection Authority (DPA). **noyb** participated in the meetings with several representatives from Panoptikon, Electronic Frontier Foundation, OpenRights Group and others in May and July 2019. **noyb** will continue its cooperation with those organizations and with the Liberties. EU on potential further litigation aiming at changing the abusive practices in the ad-tech environment.

Finances 2018



- MEMBERSHIP FEES: fees from 3,142 individual supporting members
- MEMBERSHIP FEES OF INSTITUTIONAL MEMBERS: City of Vienna (€25,000) Austrian Labor Union GPA-djp (€5,000)
- SINGLE DONATIONS: individual donations ranging from 1€ to €20,000 by individuals or SMEs
- PROFESSIONAL FEES AND OTHER: speaking fees
- SPONSORINGS: Fabasoft International Services (€20,000), Stiftelsen for Internetinfrastruktur (€5,000), Surfboard Holding BV (€20,000), PlusServer GmbH (€10,000)
- PROJECT FINANCING AND FUNDING: core funding by the Austrian Federal Ministry of Social Affairs, Health, Care and Consumer Protection

Finances 2018

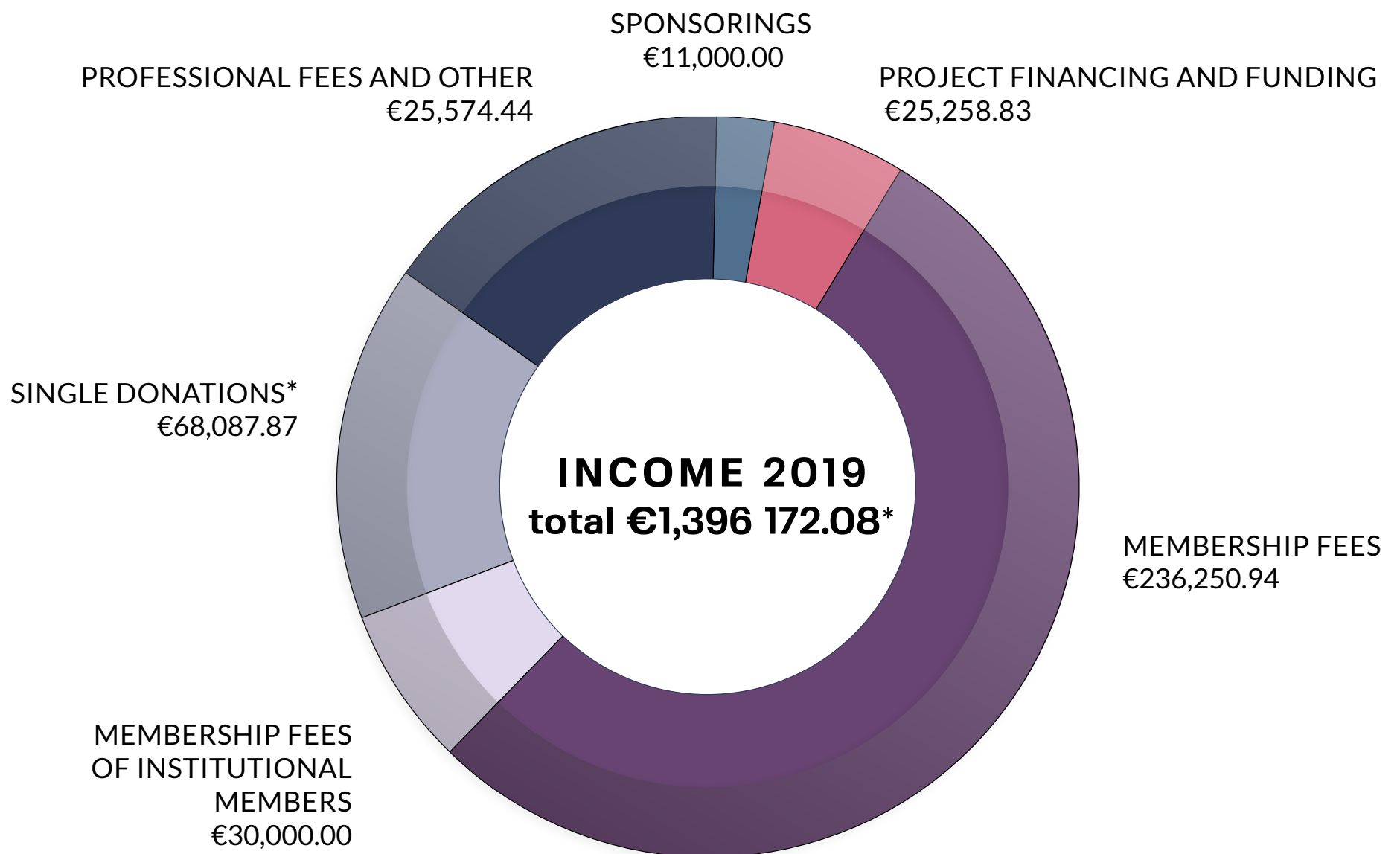


As noyb is mostly financed by private supporters and public entities, we want to report our incomes and expenses as transparently as possible. For strategic reasons we decided to disclose only our income numerically and use percentages for our expenses. In our first two years we put aside a substantial sum to a reserve fund for future court fees and alike which is therefore not part of our budget. The sum in our reserve fund would be of great strategic importance for our opponents, who are typically very well-funded and have, compared to us, limitless resources, and can therefore not be disclosed. Thank you for your understanding!

2018 was a short fiscal year for noyb, since the Kickstarter campaign ended in January 2018 and noyb got operational with the start of the GDPR in May. Therefore, most significant costs were only incurred for roughly eight months (personnel costs, office rent and alike).

- INTERNSHIP PROGRAM: housing, public transportation and daily allowances for interns
- PROJECT COSTS: legal fees
- COMMUNICATION AND ADVERTISEMENT: campaigning for Kickstarter and initial shipping of member boxes and silver letters to almost 2,000 supporting members
- INVESTMENTS: mainly for our new office (furniture, IT equipment, literature and alike)
- OTHER: bank fees, membership fees (EDRi)

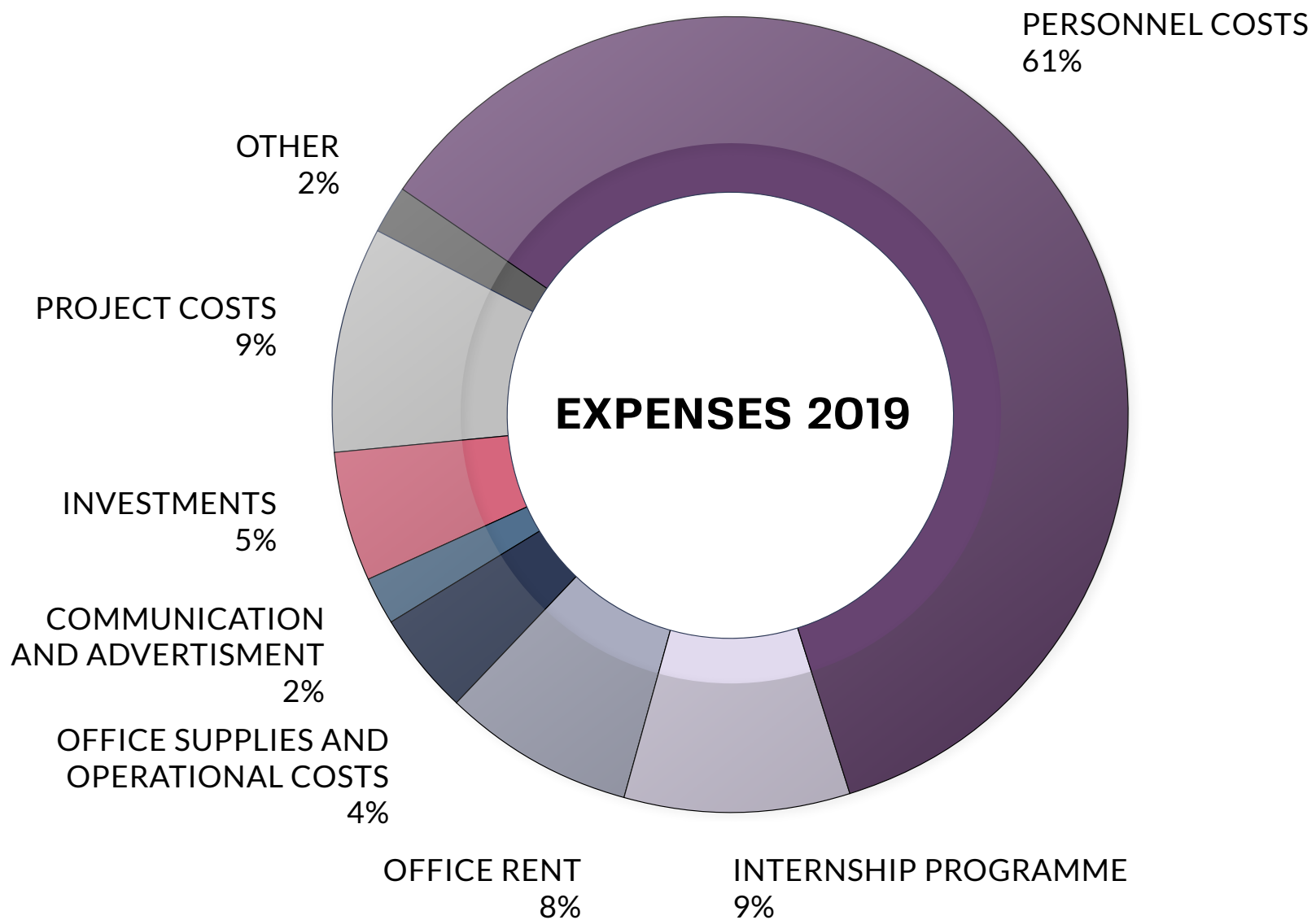
Finances 2019



*In September 2019 we received an individual donation of €1,000 000 which was transferred to our reserve fund and will be used over the next five years. We did not add it to this figure for reasons of appearance and readability.

- MEMBERSHIP FEES: fees from 3,282 individual supporting members
- MEMBERSHIP FEES OF INSTITUTIONAL MEMBERS: City of Vienna (€25,000) Austrian Labour Union GPA-djp (€5,000)
- SINGLE DONATIONS: individual donations ranging from 1€ to €22,000 by individuals or SMEs
- PROFESSIONAL FEES AND OTHER: speaking fees, prize money by Deutsche Stiftung Verbraucherschutz, interest
- SPONSORINGS: Surfboard Holding BV (€11,000)
- PROJECT FINANCING AND FUNDING: core funding by the Austrian Federal Ministry of Social Affairs, Health, Care and Consumer Protection (€13,500), DFF (€11,758.83)

Finances 2019



As noyb is mostly financed by private supporters and public entities, we want to report our incomes and expenses as transparently as possible. For strategic reasons we decided to disclose only our income numerically and use percentages for our expenses. In our first two years we put aside a substantial sum to a reserve fund for future court fees and alike which is therefore not part of our budget. The sum in our reserve fund would be of great strategic importance for our opponents, who are typically very well-funded and have, compared to us, limitless resources, and can therefore not be disclosed. Thank you for your understanding!

- INTERNSHIP PROGRAM: housing, public transportation and daily allowances for interns
- PROJECT COSTS: legal fees
- INVESTMENTS: furniture, IT equipment, literature and alike
- OTHER: bank fees, membership fees (EDRi)



NOYB IN NUMBERS

2018

TEAM
MEMBERS

5

FROM 4 DIFFERENT
COUNTRIES

LEGAL
TRAINEES

2

FROM 2 DIFFERENT
COUNTRIES

SUPPORTING
MEMBERS

3,142

FROM 42 DIFFERENT
COUNTRIES



4

COMPLAINTS AGAINST 4 COMPANIES
FILED IN 4 COUNTRIES, REPRESENTING 4 DATA SUBJECTS

191,501

UNIQUE VISITS TO OUR WEBSITE

THE BUSIEST DAY: 25TH MAY 2018

15,854 VISITS TO OUR WEBSITE

2019

TEAM
MEMBERS

11

FROM 7 DIFFERENT
COUNTRIES

LEGAL
TRAINEES

4

FROM 4 DIFFERENT
COUNTRIES

SUPPORTING
MEMBERS

3,282



13

COMPLAINTS AGAINST 14 COMPANIES
FILED IN 2 COUNTRIES, REPRESENTING 7 DATA SUBJECTS

€ 50,000,000

FINE

FOR GOOGLE BASED
ON OUR COMPLAINT
ON FORCED CONSENT

REGULAR COMMUNICATION



WITH MEMBERS OF
40 OTHER NGOS

115,957

UNIQUE VISITS TO OUR WEBSITE

3 JOINT EVENTS
WITH OTHER NGOS



European Center for Digital Rights

noyb – European Center for Digital Rights

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