



contact us



enter

JOIN

THE IDEC ▾ |

BE INFORMED ▾ |

YOUR RIGHTS ▾ |

PARTICIPATE / FIGHT ▾ |



FOOD



SUSTAINABLE CONSUMPTION



ENERGY



FINANCIAL



INTERNET, TELEPHONY AND TV



MOBILITY



HEALTH



OTHER TOPICS

HOME > PRESS ROOM

Justice grants injunction against WhatsApp in action of Idec and MPF

For the Institute, the decision is a victory for consumers who will not have their data used in Meta advertisements



INTERNET, TELEPHONY AND

TV

14/08/2024

- Updated: 14/08/2024

The Federal Court granted a preliminary decision against WhatsApp in response to the action made by Idec and the MPF. In the document signed on Wednesday (14), the judge determined that the messaging application complies with two obligations while the definitive decision is not made, under penalty of a fine of 200 thousand reais a day.

The first obligation is about sharing user data. According to Justice, WhatsApp will no longer be able to share unencrypted user data for use in offers, ads, suggestion of friends, groups and creation of user profiles in other Meta companies (such as Instagram and Facebook). The obligation is equivalent to the decision taken in the European Union on the subject.

The second measure has to do with the user's own permission. "WhatsApp is now obliged to make available in an objective, simple and easily accessible way a control option for the person to decide whether or not they want their data to be shared with the companies of the Meta group," explains the lawyer of the Telecommunications and Digital Rights Program of Idec, Lucas Marcon.

The company has 90 days to comply with the injunction, otherwise it will have to pay a fine of 200 thousand reais per day of non-compliance. "The decision confirms the legitimacy of Idec and the MPF by being the authors of the cause, considering the experience of the institutions in the themes and the defense of collective rights," reports Camila Leite Contri, coordinator of the Telecommunications and Digital Rights Program of Idec.

The document also reaffirms the competence of the Federal Court to judge the case, since the ANPD is also part of the action.

Understand the case

The Idec (Institute of Consumer Defense) and the MPF (Federal Public Ministry) of São Paulo filed, on July 16, with the largest lawsuit in the protection of personal data, with a claim for compensation against WhatsApp that can reach R\$ 1.7 billion.

The ANPD (National Data Protection Authority) is also defendant in the case for problems in the transparency and efficiency of the progress of its investigation against the application, which has lasted since 2021.

If the injunction is confirmed in a final decision, the amount paid as collective moral damage is destined to the Diffuse Rights Fund, linked to the Ministry of Justice. The action also holds the ANPD responsible for not having acted against WhatsApp and seeks improvement in the regulation of the Authority.

The public civil action is being processed in the Federal Regional Court of the 3^a Region under the number: [5018090-42.2024.4.03.6100](#). The full injunction is available [here](#).



RECEIVE OUR NEWSLETTER

SUBSCRIBE

Mandatory field! Invalid email format!



**instituto de defesa
de consumidores**



THE IDEC

- [about us](#)
- [What we do](#)
- [Support and Partnerships](#)
- [History and Achievements](#)
- [Press room](#)
- [work with us](#)

BE INFORMED

- [Idec in the Press](#)
- [latest news](#)
- [Idec Magazine articles](#)

PUBLICATIONS

- [Subscribe to the Newsletter](#)

PODCAST

YOUR RIGHTS

- [Consumer Protection Code](#)
- [courses](#)
- [Tips and Rights](#)
- [Idec Orienta](#)
- [Idec surveys](#)
- [Lawsuits](#)
- [Success Stories](#)

PARTICIPATE / FIGHT

- [JOIN](#)
- [Make a Donation](#)
- [Fight in the Campaigns](#)

[Privacy Policy - Idec 1996 - 2024](#)

JOIN ^

Click and know the advantages of being a member