



What you need to know.

If your company sends (direct) marketing communications to customers, they have the right to object at any time to the processing of their personal data for this purpose (Article 21.2 GDPR). When a customer exercises his/her right to object, you must immediately stop the marketing communications (Article 21.3 GDPR). The GDPR grants data subjects an absolute opt-out right.

Many companies use a variety of communication channels (post, e-mail, SMS, telephone). In that case, it is not sufficient that you (only) provide a granular unsubscribe option per communication channel (for example, an unsubscribe link at the bottom of mailings, text message “STOP”). Data subjects must always have a consolidated unsubscribe option to decline *all* forms of marketing communication.

The communication medium that is made available for this must also be proportional to the means by which you as a company communicate with the data subjects: if your privacy statement is communicated via the website and/or you send digital marketing communications, the data subjects must also be able to unsubscribe online. You cannot therefore require them to contact customer service or turn to one of your points of sale.

All of this follows from Article 12.2 GDPR, which states that you as a company must *facilitate* the exercise of the rights of data subjects (see the recent [Decision](#) of the Belgian Data Protection Authority [*currently only available in Dutch – translation to French ongoing*]).

What you need to do.

Make sure that *all* marketing communications include an unsubscribe option. This also applies to leaflets in the mailbox (where reference can be made to a link or e-mail address) and telephone

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messages (where the question can be asked orally as part of the script).

If a customer unsubscribes via one communication channel (e.g. mailings), he/she must in principle be unsubscribed from all marketing communications. If you wish to avoid this, it is recommended to provide both a consolidated and a granular unsubscribe option so that the customer always has the choice. For example, in addition to the unsubscribe option per type of marketing, you can provide a general unsubscribe button via the customer portal of your website. You can also insert a distinction in mailings between a general “I unsubscribe from all communications” button and an “I change my communication preferences” button.

In any case, make sure that it is sufficiently clear to the data subjects how they can unsubscribe. Explain this in your privacy statement and provide a link in all marketing communications.