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PRESS RELEASE

ADLEGAL SEEKS URGENT COMESA INTERVENTION AGAINST META OVER ALLEGED EXPLOITATION OF PUBLISHERS' CONTENT THROUGH AI

AdLegal today filed an Application for Interim Measures before the COMESA Competition and Consumer Commission (CCCC), seeking urgent intervention against Meta over its Commercial Terms and practices relating to the collection, reproduction, processing and commercial exploitation of publishers' digital content through artificial intelligence systems.

The application was prepared by AdLegal with expert support from the Movement for an Open Web (MOW), led by MOW's co-founder Tim Cowen and his team. Over the past several days, MOW has worked closely with AdLegal's legal team, providing technical and competition law expertise to strengthen the application. This collaboration has been particularly important given the evolving circumstances surrounding Meta's Commercial Terms, including its successive changes in the proposed implementation timeline and most recent announcement postponing the changes.

A warning against misplaced trust

AdLegal has cautioned the Commission against relying on Meta's announcement last week that it had paused implementation of the proposed Commercial Terms. The application argues that a postponement is not a withdrawal and that Meta's history of providing misleading representations to regulators and the public warrants caution.

The application cites two notable examples: the US$25 billion civil penalty imposed against Meta in New Mexico in October 2026 following findings that it had deceived users, and the European Commission's €110 million fine against Facebook in 2017 for providing misleading information during the review of its proposed acquisition of WhatsApp.

AdLegal observes that Meta's past record of misleading representations can best be described by an African proverb: *"When a snake tells you it has become harmless, remember that it still has its fangs."* And, *"When the same hyena has raided the village chicken coop several times, the villagers do not trust its promise to become a vegetarian."*

AdLegal maintains that Meta should not be trusted merely because it has announced a pause in the implementation of its proposed Commercial Terms. The concern is that the conduct under scrutiny is not necessarily a future possibility; the application argues that Meta's scraping and commercial use of publishers' content is already taking place, and that the proposed Commercial Terms were intended to legitimise and formalise these ongoing practices without appropriate compensation to publishers.

At the heart of this application is a fundamental property rights concern: publishers invest in creating original content, yet risk having that content collected, reproduced and commercially exploited by dominant technology platforms to develop competing AI services without meaningful authorisation, control or remuneration.

The implications extend across all 21 COMESA Member States, affecting African publishers as well as international media organisations and digital publishers with operations, audiences or commercial interests in the Common Market.

The application demonstrates that the threatened conduct risks irreversible loss of publishers' control over their intellectual property, appropriation of their content without adequate compensation, declining website traffic, advertising and subscription revenues, and ultimately the erosion of independent publishing and competition across the COMESA Common Market—harm that must be stopped before it becomes impossible to reverse.

AdLegal is therefore asking the Commission to issue binding interim orders to protect publishers' commercial interests and prevent potentially irreversible harm while the investigation proceeds.

This application builds on AdLegal’s track record of past and ongoing cases, complaints and regulatory interventions challenging anti-competitive and exploitative practices by Big Tech companies in African markets. AdLegal remains committed to advancing competition, protecting property rights and safeguarding the sustainability of an open, fair and independent digital economy across Africa.

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