

(English version)

**Question for written answer E-001546/25
to the Commission
Fulvio Martusciello (PPE)
(16 April 2025)**

Subject: Privacy risks arising from the integration of AI on Meta's digital platforms

La Repubblica reports that the automatic embedding of Meta's new virtual assistant (Meta AI) into the Whatsapp, Facebook, Instagram and Messenger accounts of all EU citizens has raised privacy and security concerns among users, who complain that they have no control over Meta AI and that it was integrated without their consent.

Though users are not obliged to use Meta's chatbot, it still constitutes a threat to them as it cannot be uninstalled. Users of Whatsapp's business application also have to contend with privacy issues, seeing that Meta has refused to guarantee that their interactions with Meta AI will not be used to develop algorithms.

In view of the above:

1. Will the Commission verify that Meta AI complies with the EU rules laid down by the GDPR and the Digital Services Act?
2. Does the Commission agree that it should launch an inquiry into Meta AI establishing the potential risks, vulnerabilities and issues for Meta users, particularly minors?
3. Does the Commission agree that it will have to intercede on the users' behalf to ensure that they have a choice in the matter?

Submitted: 16.4.2025

**Answer given by Mr McGrath on behalf of the European Commission
(27 June 2025)**

Under the General Data Protection Regulation (GDPR) ⁽¹⁾ consent is one of the six legal grounds for lawful processing. Amongst other grounds, the controller may rely on its or a third party's legitimate interest if the processing is necessary for that interest and that interest is not overridden by the interests or rights of the data subjects.

The individuals have a right to object ⁽²⁾. Subject to certain conditions, legitimate interest could be relied upon for the development of AI models ⁽³⁾.

Without prejudice to the competences of the Commission as guardian of the Treaties, the enforcement of the GDPR in individual cases lies primarily with the national supervisory authorities and courts.

The Irish data protection authority, as lead authority in this case, in cooperation with all concerned national data protection authorities, has engaged with Meta.

Under the Digital Services Act (DSA) ⁽⁴⁾, providers of designated very large online platforms such as Facebook and Instagram are required to diligently identify, analyse, assess systemic risks stemming from their services and related systems in the EU.

These risk assessments are mandated at least annually and must also occur prior to deploying any functionalities that could significantly impact a platform's risk profile ⁽⁵⁾. Those providers are then required to put in place effective measures to mitigate such risks.

The Commission is closely monitoring the Meta AI feature on Facebook and Instagram and is in dialogue with Meta.

Upon receipt of the risk assessment, the DSA enforcement team will carefully analyse all relevant documentation to verify and ensure compliance with the DSA and that the feature does not present any undue risks within the EU.

⁽¹⁾ Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation), OJ L 119, 4.5.2016, p. 1-88.

⁽²⁾ Article 21 GDPR.

⁽³⁾ European Data Protection Board (EDPB) https://www.edpb.europa.eu/our-work-tools/our-documents/opinion-board-art-64/opinion-282024-certain-data-protection-aspects_en.

⁽⁴⁾ <https://eur-lex.europa.eu/eli/reg/2022/2065/oj/eng>.

⁽⁵⁾ Article 34(1) of the DSA.