

(English version)

Question for written answer E-003254/25
to the Commission
Kostas Papadakis (NI)
(19 August 2025)

Subject: Use of personal data by technology giants

The personal data of millions of European users, including those in Greece, such as photographs, posts and user reactions on social media and more generally any data that anyone has provided to the platforms of technology giants such as Meta, X, TikTok and others, is now available for the training of artificial intelligence models.

The US monopoly Meta, in the context of fierce competition with European and Chinese digital groups that use similar practices, assumes users' consent and shifts the responsibility to them to submit an opt-out request, which must have been submitted by 27 May, and which Meta itself reserves the right to reject. In this regard, it invokes the 'legitimate interest' of Article 6 of the General Data Protection Regulation, an interpretation that was ratified by the European Data Protection Board in December 2024.

What is the Commission's position on the fact that:

1. The much-publicised EU General Data Protection Regulation legalised and expanded the broad and unimpeded collection, transmission and processing of citizens' personal data by monopolies and States inside and outside the EU for commercial, political and other purposes?
2. Overall, does EU digital legislation serve the unimpeded flow and commercial exploitation of data by business groups and State mechanisms, undermining the protection of personal data and the privacy of users of digital services and platforms?

Submitted: 19.8.2025

Answer given by Mr McGrath on behalf of the European Commission
(17 November 2025)

The General Data Protection Regulation (GDPR) ⁽¹⁾ strengthens the rules on the protection of individuals' personal data, which apply directly to organisations that process personal data in the EU. Data flows to third countries are subject to specific requirements which ensure that the level of protection of personal data is maintained. ⁽²⁾

Under the GDPR, consent is one of the six grounds for lawful processing. Beyond consent, the controller may rely on legitimate interest for the training of artificial intelligence (AI) models and systems with users' personal data, where such processing is necessary for the pursuit of that interest and the interest is not overridden by the interests or rights of the data subjects. The European Data Protection Board (EDPB) held that, subject to certain conditions, legitimate interest could be relied upon for the development of AI models ⁽³⁾. Where legitimate interest is relied upon, individuals have a right to object ⁽⁴⁾.

Members States' competent national supervisory authorities and courts have a primary responsibility to monitor the application of the GDPR and to take the necessary steps for enforcement. In its role as guardian of the Treaties, the Commission continues monitoring the situation and may decide to take appropriate action.

The Irish Data Protection Commission (DPC), as the competent lead authority in this case, in cooperation with all concerned national data protection authorities, has engaged with Meta and required them to take additional measures and improvements ⁽⁵⁾. Individuals may lodge a complaint either directly with the DPC or their national data protection authority, which will forward the complaint to the lead authority, the DPC.

⁽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⁾ Chapter V 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⁾ Article 21 GDPR.

⁽⁵⁾ 21 May 2025 DPC statement on Meta AI: <https://www.dataprotection.ie/en/news-media/latest-news/dpc-statement-meta-ai>.