Brussels, 13 April – The EDPB has issued a dispute settlement decision under Article 65 of the General Data Protection Regulation in relation to a draft decision by the Irish Data Protection Supervisory Authority on the lawfulness of data transfers to the United States of America by Meta Platforms Ireland Limited (Meta IE) for its Facebook service. The binding decision addresses important legal issues arising from the draft decision of the Irish Data Protection Authority as lead supervisory authority in respect of Meta IE. The binding decision of the European Data Protection Board plays a key role in ensuring the proper and consistent application of the General Data Protection Regulation by national data protection authorities.

Since no consensus was reached on the objections filed by several data protection authorities, the European Data Protection Board was invited to resolve the dispute between the data protection authorities within two months.

More specifically, in its binding decision, the EDPB resolves the dispute as to whether an administrative fine and/or an additional processing harmonization order should be included in the Irish data protection authority's final decision.

The lead supervisory authority makes its final decision, addressed to the controller, based on the binding decision of the EDPB taking into account the legal assessment of the European Data Protection Board, no later than one month after the EDPB communicated its decision. The European Data Protection Board will publish its decision on its website after the lead supervisory authority has notified the controller of its national decision.

Members of the European Data Protection Board discussed the recent measures taken by the Italian data protection authority against the data controller Open AI in relation to the Chat GPT service.

The European Data Protection Board has decided to establish a special working group to encourage cooperation and exchange information on possible enforcement measures implemented by data protection authorities.