

Data Protection Ireland

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Headlines

- Commission launches GDPR inquiry into Facebook, and class action launched, p.18
- DPC contacts Sinn Féin over Facebook data collection, p.19
- Regulatory strategy consultation, p.20

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One Stop Shop is unsustainable, says Helen Dixon, EDPS and MEPs

The Data Protection Commissioner, the European Data Protection Supervisor and a Committee of MEPs have all expressed serious doubts about the continued operation of the GDPR's One Stop Shop mechanism.

“A Supervisory Authority reaches a decision, tries to defend it against a lot of arguments from 26 other national SAs under Article 60 [of the GDPR], and then tries to defend a revised version again under Article 65 that attempts to take into account their concerns before the European Data Protection Board steps in to give a final verdict. That

is unsustainable,” said Helen Dixon. The Commissioner added that her Office is being ‘drowned’ by ‘scattergun demands’ from other SAs for mutual assistance requests, which are slowing its work down further.

Ms Dixon’s comments were publicised around the same time as reports that her Office has received a number of objections from SAs to its draft decision to impose a fine of up to €50 million on WhatsApp for violating privacy laws. The SAs believe that the fine is too low. Among the objectors is the German regulator, which has been particularly vocal in its criticisms of

the DPC’s progress with privacy investigations.

European Data Protection Supervisor (‘EDPS’), Wojciech Wiewiórowski, also highlighted issues with One Stop Shop.

He said he would like to see the mechanism reformed in the long term because of the “danger” that the lack of consensus leads to SAs “disowning decisions they don’t like” in the way that Austria, Germany, Hungary, and Italy did regarding the DPC’s Twitter decision in December 2020.

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Committee calls for detailed guidelines on Schrems II

The Civil Liberties Committee of the European Parliament has urged the European Commission and the European Data Protection Board to collaborate on guidelines that integrate the *Schrems II* (Case C-311/18) ruling and create a toolbox of privacy-boosting measures.

In a draft report to the Commission (press re-

lease here: www.pdp.ie/docs/10998), the MEPs stressed that the Commission should not conclude new adequacy decisions with third countries without taking into account the implications of the ruling.

Within the same report, the Committee expressed disappointment with the Data Protection Commission’s decision

to initiate the *Schrems* court case instead of independently triggering enforcement procedures in the GDPR. The MEPs called on the Commission to launch infringement procedures against Ireland for failing to enforce effectively the GDPR.

The report also criticises the enforcement of the

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